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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

1938 AGRICULTURAL CONSERVATION PROGRAM

North Central RegionCONTENTS

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1938 AGRICULTURAL CONSERVATION PROGRAM

Pursuant to the provisions of the 1938 Agricultural Conservation Program Bulletin, issued by the Secretary of Agriculture, October 23, 1937, and Supplement No. 1 thereto, issued January 10, 1938, and the authority vested thereby in the Agricultural Adjustment Administration, payments will be made for participation in the North Central Region in the 1938 Agricultural Conservation Program in accordance with provisions of this bulletin and such modifications thereof or other provisions as may hereafter be made. This bulletin includes all the provisions of the 1938 Agricultural Conservation Program Bulletin and Supplement No. 1 thereto as are applicable to the North Central Region, together with determinations authorized therein to be made by the Agricultural Adjustment Administration and the Director of the North Central Division.

The provisions of the 1938 Agricultural Conservation Program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments herein provided are contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation and the extent of national participation in the program. Any increase or decrease in payments made because of the extent of participation in the program is hereby limited so as not to exceed 10 percent.

The provisions of this bulletin are not applicable to (1) counties for which special programs under the Soil Conservation and Domestic Allotment Act are approved for 1938 by the Secretary; (2) public domain of the United States, including land owned by the United States and administered under the Taylor Grazing Act or by the Forest Service of the United States Department of Agriculture; and (3) other lands in which the beneficial ownership is in the United States.

SECTION I. NATIONAL, STATE, AND COUNTY GOALS.

A. National Goals - The national goals in connection with the 1938 Agricultural Conservation Program shall be as follows:

1. The seeding and maintenance of soil-conserving crops on the cropland not required in 1938 for the growing of soil-depleting crops, and the carrying out of such soil-building practices as will preserve and improve the soil fertility and prevent wind and water erosion.

2. The following acreages of soil-depleting crops:

Cotton	27,000,000 to 29,000,000 acres
Corn	92,000,000 to 93,000,000 acres
Tobacco	
Flue-cured	850,000 to 900,000 acres
Burley	480,000 to 500,000 acres
Fire-cured and dark air-cured	170,000 to 180,000 acres
Cigar filler and binder	85,000 to 90,000 acres
Georgia-Florida Type 62	2,800 to 3,000 acres

Potatoes 3,100,000 to 3,300,000 acres

Peanuts 1,500,000 to 1,600,000 acres

Rice 825,000 to 875,000 acres

Other soil-depleting crops 145,000,000 to
155,000,000 acres

Total soil-depleting crops 273,000,000 to
288,000,000 acres

B. State Goals - The Agricultural Adjustment Administration shall establish State goals in connection with the 1938 Agricultural Conservation Program in the North Central Region as hereinafter set forth. The total of the State goals for any crop or group of crops shall not be less than the minimum acreage nor more than the maximum acreage specified as the national goal for such crop or group of crops in subsection A.

1. Total Soil-Depleting Goals - State goals for total soil-depleting crops will be based upon the average acreage of the various soil-depleting crops grown in each State in whichever of the periods of five or more consecutive years since

1927 the Agricultural Adjustment Administration finds most representative of normal conditions, and the base acreages and limits established in connection with the 1937 Agricultural Conservation Program, taking into consideration trends in acreage, the acreage of food and feed crops required for home consumption, farms for which goals may be established as large as the usual acreages of crops grown thereon, and the relation of the goals established for special crops to the usual acreages of such crops.

2. Tobacco Goals - State tobacco goals for each kind of tobacco will be based upon the average acreage of each kind of tobacco grown in each State in whichever of the periods of five or more consecutive years since 1927 the Agricultural Adjustment Administration finds most representative of normal conditions and the base acreages established in connection with the 1937 Agricultural Conservation Program, taking into consideration trends in acreages.

3. Potato Soil-Depleting Goals - State goals for potatoes will be based upon the average acreage of potatoes grown in each State in whichever of the periods of five or more consecutive years since 1927 the Agricultural Adjustment Administration finds most representative of normal conditions, taking into consideration trends in acreage and the usual acreage of potatoes grown on farms for which potato goals are not established.

4. Restoration Land Goals - State goals for restoration land will be based on the amount of land in wind-erosion areas unsuited to the continued production of cultivated crops on which a permanent vegetative cover should be restored.

C. County Goals - The Agricultural Adjustment Administration with the assistance of State Committees shall establish county goals for total soil-depleting crops, goals for individual soil-depleting crops and goals for restoration land as hereinafter set forth. The soil-depleting goals for all counties in each State shall not exceed such goals as shall be established for such State by the Agricultural Adjustment Administration.

1. Total Soil-Depleting Goals - County goals for total soil-depleting crops shall be established by distributing the respective State goals for total soil-depleting crops on the basis of (1) the average acreage of such crops

grown in such counties in whichever of the periods of five or more consecutive years since 1927 the Agricultural Adjustment Administration finds is most representative of normal conditions; (2) the base acreages established in connection with the 1937 Agricultural Conservation Program; (3) trends in acreages; and (4) the relationship of the usual acreages of individual soil-depleting crops to 1938 goals for such crops in counties for which goals for individual soil-depleting crops are established.

2. Corn Goals - County goals for corn shall be established by distributing the aggregate corn goal for the corn area on the basis of the average acreage of corn grown in such counties during the ten years 1928 to 1937, inclusive, plus in applicable years the acreage diverted under previous agricultural adjustment and conservation programs with adjustments for trends in acreage.

3. Cotton Goals - County goals for cotton shall be established by distributing the aggregate cotton goal on the basis of the average acreage of cotton grown in the counties during the five years 1933 to 1937, inclusive, plus in applicable years the acreage diverted under previous agricultural adjustment and conservation programs.

4. Tobacco Goals - County goals for each kind of tobacco shall be established by distributing the State goal for each such kind of tobacco on the basis of the average acreage devoted to each such kind of tobacco in the counties in whichever of the periods of five or more consecutive years since 1927 the Agricultural Adjustment Administration finds is most representative of normal conditions, with adjustments for trends in such acreages.

5. Potato Goals - County goals for potatoes shall be established by distributing the State goal for potatoes on the basis of the average acreage devoted to potatoes in whichever of the periods of five or more consecutive years since 1927 the Agricultural Adjustment Administration finds is most representative of normal conditions, taking into consideration trends in acreage and farms for which potato goals may be established as large as the usual acreage of potatoes grown thereon.

6. Restoration Land Goals - County goals for restoration land shall be established by distributing the restoration land goal for the State among the counties in the wind-erosion

area on the basis of the amount of land in such counties which is unsuited to the continued production of cultivated crops and on which a permanent vegetative cover should be restored.

SECTION II. GOALS FOR INDIVIDUAL FARMS

The county committee shall establish, in accordance with instructions issued by the Agricultural Adjustment Administration, goals for total soil-depleting crops, goals for individual soil-depleting crops, goals for restoration land, and goals for soil-building practices as hereinafter set forth. Such soil-depleting goals for all farms in the county shall not exceed the respective goals established for the county by the Agricultural Adjustment Administration, and the sum of the goals for farms furnishing required forms and information shall not exceed their proportionate share of the county goals.

A. Total Soil-Depleting Goals - The total soil-depleting goals for any farm shall be established on the basis of good soil management, the tillable acreage on the farm, the type of soil, topography, degree of erosion, and the acreage of all soil-depleting crops customarily grown on the farm.

B. Corn Goals - Corn goals in the corn area shall be established on the basis of the tillable acreage available for the production of corn, type of soil, topography, erodibility, productivity, customary acreage of corn, and sound soil management practice.

C. Cotton Goals - Cotton goals shall be established on the basis of the tillable acreage available for the production of cotton, type of soil, topography, productivity, and customary acreage planted to cotton. No cotton goal shall exceed 50 percent of the tillable acreage on the farm. No cotton goal shall be less than 5 acres or the largest acreage planted to cotton during 1935, 1936, and 1937, including cotton acreage diverted under previous agricultural adjustment and conservation programs, whichever is the smaller.

D. Tobacco Goals - Goals for Burley, cigar filler or binder, and dark air-cured tobacco shall be established on

the basis of the past production of each such kind of tobacco together with such adjustments as are necessary for weather, diseases, and other abnormal conditions, as well as crop rotation practices, production facilities, soil, and other physical factors affecting the production of each such kind of tobacco.

E. Rice Goals - Rice goals shall be established on the basis of the acreage of rice customarily grown by the person operating the farm in 1938 taking into consideration the acreage in the farm suited to rice production for which water is readily available; the labor and equipment, crop rotation practices, soil fertility, and other physical factors.

F. Potato Goals - Potato goals shall be established for each farm normally producing potatoes except any farm on which the acreage normally planted to potatoes is determined to be less than three or less than the number of families living on the farm, whichever is the greater. No potato goal shall be established in an amount of less than three acres. Such potato goals shall be established on the basis of good soil management, the tillable acreage on the farm, the type of soil, topography, degree of erosion, and the acreage of such crops customarily grown on the farm.

G. Restoration Land Goals - Restoration land goals shall be established on the basis of the land on the farm which has been cropped at least once since January 1, 1933, but on which, because of its physical condition and texture and because of climatic conditions, a permanent vegetative cover should be restored.

H. Soil-Building Goal - The soil-building goal shall represent the number of units of applicable practices to be carried out on the farm as a condition of payment. The soil-building goal for any farm shall be the number of units of practices equal to two-thirds of the amount computed pursuant to Section III with respect to the conserving acreage, commercial orchards, commercial vegetable land, and non-crop plowable pasture. The county committee, insofar as practicable, shall establish for individual farms the units of one or more specified practices for achieving the soil-building goal for the farm, which are not routine practices on such farms but which are needed thereon in order to preserve and improve soil fertility and prevent wind and water erosion.

SECTION III - PAYMENT FOR FULL PERFORMANCE.

Payment will be made with respect to any farm for not exceeding the total soil-depleting goal, for not exceeding the goal established for any individual soil-depleting crop, and for achieving the soil-building and restoration land goals in an amount which shall be the sum of the following:

A. \$1.50 per acre, adjusted for productivity, for each acre in the general soil-depleting goal.

B. 10 cents per bushel of the normal yield of corn for the farm for each acre in the corn goal.

C. 2.4 cents per pound of the normal yield per acre of cotton for the farm for each acre in the cotton goal, or if the acreage planted to cotton is less than 80 percent of the cotton goal and the county committee determines that the failure to plant 80 percent of such cotton goal was not due to flood or drouth, for 125 percent of each acre planted.

D. The following number of cents per pound of the normal yield per acre of tobacco for the farm for each acre in the tobacco goal for each of the following kinds of tobacco:

- | | |
|----------------------------|-----------|
| 1. Burley | 0.5 cents |
| 2. Dark air-cured | 1.7 cents |
| 3. Cigar filler and binder | 0.8 cents |

E. For farms having potato goals, the following number of cents per bushel of the normal yield per acre of potatoes for the farm for each acre of potatoes planted on the farm in 1938, not in excess of the potato goal, in the following producing areas:

- | | |
|-----------|---------|
| (a) Early | 6 cents |
| (b) Late | 4 cents |

F. 0.125 of a cent per pound of the normal yield per acre of rice for the farm for each acre in the rice goal, or if the acreage planted to rice is less than 80 percent of the rice goal, for 125 percent of each acre planted.

G. 70 cents per acre for the conserving acreage obtained by subtracting from the total cropland in the farm the sum of the total soil-depleting goal for the farm and the acreage in commercial orchards on the farm.

H. 50 cents per acre for each acre in the restoration land goal established for the farm.

I. \$2.00 per acre of the average annual acreage of land on which commercial vegetables were grown on the farm in 1936 and 1937.

J. \$2.00 per acre of commercial orchards on the farm January 1, 1938.

K. 2 cents per acre of noncrop open pasture land in the farm plus \$1.00 for each animal unit of grazing capacity (on a 12-month basis) of such pasture.

SECTION IV - PAYMENT FOR PARTIAL PERFORMANCE

The payment computed for any farm, under the provisions of Section III, shall be subject to all of the following deductions which are applicable to the farm.

A. Five times the payment rate specified in Section III for the normal yield on the acreages by which the corn and dark air-cured tobacco acreages exceed the respective goals established for these crops.

B. Ten times the payment rates specified in Section III for the normal yield on the acreages by which the acreages of Burley tobacco, cigar filler and binder tobacco, and rice exceed the respective goals established for these crops, and on any farms in a potato county for which a potato goal is not established, for each acre by which the number of acres of potatoes exceeds three, or the number of families living on the farm, whichever is greater.

C. Eight times the payment rates specified in item A of Section III for each acre of soil-depleting crops in excess of the total soil-depleting crop goal for the farm less any acreage on which deductions are made pursuant to items A, B, and D of this Section IV.

D. 3.6 cents per pound of the normal yield for the farm for each acre of cotton in excess of the cotton goal but not in excess of 115 percent of the cotton goal and 10 cents per pound of the normal yield for the farm for each acre of cotton in excess of 115 percent of the cotton goal for the farm.

E. \$1.50 for each unit by which the soil-building goal is not reached.

F. \$3.00 for each acre of native sod or any other land which has been cropped but is not classified as cropland or restoration land which, in the wind-erosion area, is broken out during the period November 1, 1937 to October 31, 1938, inclusive, unless the breaking-out of such land is approved by the county committee as a good farming practice and an equal acreage of cropland on the same farm is restored to permanent vegetative cover, such acreage to be in addition to that designated as restoration land.

G. \$1.00 for each acre, in wind-erosion area, with respect to which there is failure to adopt in 1938 methods recommended by the State committee and approved by the Agricultural Adjustment Administration for the prevention of wind or water erosion; and for each acre of restoration land on which there is failure to carry out in 1938 conservation measures designed to promote restoration, at the most rapid rate possible, of a permanent vegetative cover, such measures to be specified by the county committee, in accordance with instructions issued by the Agricultural Adjustment Administration.

SECTION V - SOIL-DEPLETING CROPS

Land devoted in 1938 to any of the following crops or uses, or such other similar crops and uses as are designated by the Agricultural Adjustment Administration, shall be classified as soil-depleting:

A. Land planted to the following crops for harvest in 1938:

1. Corn (including field corn, sweet corn, and popcorn, but excluding sown or close-drilled corn used as a cover crop or green manure crop).

2. Grain sorghums.
3. Cotton.
4. Tobacco.
5. Sugar Beets.
6. Rice
7. Hemp.
8. Broomcorn.
9. Mint.
10. Mangels and cowbeets.
11. Cultivated sunflowers.
12. Truck and vegetable crops (including strawberries, melons, and sweetpotatoes) and their seeds.
13. Potatoes.
14. Bulbs and flowers.
15. Field beans.
16. Canning peas.
17. Safflower.
18. Commercial mustard.

B. Land planted to wheat between August 1, 1937, and July 31, 1938, except:

1. When the acreage of such crop is pastured before May 1, 1938, and thereafter is sufficiently pastured or tilled to prevent grain formation; or
2. When the acreage of such crop is tilled before May 1, 1938, in preparation for another crop or for a use other than the harvesting of the acreage of such crop for grain or hay; or
3. When the acreage of such crop is used as a green manure crop in commercial orchards or on commercial vegetable land.

C. Land planted to oats, sown or close-drilled corn, barley, rye, flax, emmer, speltz, or mixtures of these crops between August 1, 1937, and July 31, 1938, except:

1. When a good stand and good growth of such crop is used as a green manure crop; or

2. When such crop is used as a nurse crop or cover crop and is not harvested for grain or hay.

D. Land planted in 1938 to sweet sorghum, buckwheat, Sudan grass, or millet, except:

1. When a good stand and good growth of such crop is used as a green manure crop; or

2. In Iowa, Indiana, Illinois, Missouri, Ohio, and Michigan when such crop is used as a cover crop or for pasture and is not harvested for grain, hay, seed, syrup, or silage; or

3. In Nebraska, South Dakota, Minnesota, and Wisconsin when such crop is used as a cover crop or for pasture and is not harvested for grain, seed, syrup, or silage.

E. Land planted in 1938 to field peas, cowpeas or soybeans and harvested for seed.

F. Summer fallow which is not protected from wind or water erosion.

The acreage of land which is devoted consecutively to two or more of the above soil-depleting crops in 1938 shall be counted as follows: If only one of such crops reaches maturity such land shall be regarded as devoted to the crop reaching maturity. If none of such crops reaches maturity or if more than one of such crops reach maturity and an individual crop goal is established for only one of such crops, such land shall be regarded as devoted to the crop for which an individual crop goal is established. If none of such crops reaches maturity and individual crop goals are established for two or more of such crops, the land shall be regarded as devoted to the last planted of such crops for which an individual crop goal is established. If two or more of such crops reach maturity and individual crop goals are established for two or more of such crops reaching maturity, the land shall be regarded as devoted to each of the crops which reached maturity and for which an individual crop goal is established.

The use of farmland in 1938 shall be classified as either soil-depleting or non-depleting. Farmland which is not classified as soil-depleting in 1938 shall be classified as non-depleting. In order for any cropland to be classified as non-depleting, other than an entire field and other than any cropland strip-cropped or strip-fallowed, such cropland must be in a solid block contiguous to the side or end of a field and the line between such cropland and the remaining portion of the field must be straight. If any acreage on the farm is used for the production of interplanted crops, the actual acreage of each interplanted crop shall be classified as set forth in this Section V. Land devoted to volunteer crops harvested shall be classified as if such crops were planted.

SECTION VI - SOIL-BUILDING PRACTICES

The following soil-building practices shall count toward the achievement of the soil-building goal, to the extent indicated herein, when such practices are carried out by such methods and using such materials and with such kinds and quantities of adapted seed and trees as conform with good farming practices. In order to count toward the achievement of the soil-building goal, all seedings of red clover and any mixtures containing red clover must be made with adapted red clover seed, and all seedings of alfalfa and any mixtures containing alfalfa on such farm must be made with adapted alfalfa seed, the origin of which must be certified by the county committee in accordance with instructions issued by the Agricultural Adjustment Administration.

Red clover and alfalfa seed grown in Canada and in the following States shall be regarded as adapted: Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

Red clover and alfalfa seed grown in the following counties shall also be regarded as adapted: The counties of Alfalfa, Beaver, Cimarron, Craig, Delaware, Ellis, Garfield, Grant, Harper, Kay, Major, Hayes, Noble, Nowata, Osage, Ottawa, Pawnee, Rogers, Texas, Tulsa, Washington, Woods, and Woodward in Oklahoma; the counties of Baker, Crook, Deschutes, Gilliam, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, and Wheeler in Oregon; and the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman in Washington.

All practices which will be counted toward achieving the soil-building goal must have been carried out between November 1, 1937, and October 31, 1938, inclusive. Proof of performance for any practice shall consist of satisfactory evidence, obtained in accordance with instructions issued by the Agricultural Adjustment Administration, that the practice was completed in accordance with conditions specified.

Practices carried out with labor, seed, trees, and materials furnished entirely by any Federal or State agency shall not be counted toward the achievement of the soil-building goal. If a portion of the labor, seed, trees, or other materials used in carrying out any practice is furnished by a State or Federal agency and such portion represents one-half or more of the total cost of carrying out such practice, such practice shall not be counted toward the achievement of the soil-building goal; if such portion represents less than half of the total cost of carrying out such practice, one-half of such practice shall be counted toward the achievement of the soil-building goal.

If trees are purchased from a Clark-McNary Cooperative State Nursery, such purchases shall not be deemed to be paid for in whole or in part by a State or Federal agency.

A. Each acre of the following shall be counted as one unit:

1. Seeding of biennial sweet clover, annual sweet clover, alsike clover, yellow trefoil (black medica), hop clover, vetch, Austrian peas, bur clover, annual lespedeza, dalea, crotalaria, or mixtures of these legumes; orchard grass; or mixtures of orchard grass, timothy or redtop with one or more of the legumes and grasses listed in this subsection A, 1, in subsection B, 1, and in subsection C, 1.

2. A full seeding of adapted red clover on land on which a seeding of perennial grass was made under the 1937 Agricultural Conservation Program.

3. Sudan grass, millet, annual rye grass, buckwheat, sweet sorghums, rye, soybeans, cowpeas, field peas, or mixtures of any of such crops of which a good growth is attained, provided: (1) such crops are not pastured or harvested for grain, seed, hay, or forage; (2) in the wind-erosion area such crops are left standing until November 1, 1938; and (3) outside of the wind-erosion area such crops are plowed or disced under before November 1, 1938.

4. Wheat, oats, barley, Sudan grass, millet, annual rye grass, buckwheat, sweet sorghums, rye, soybeans, cowpeas, field peas, or mixtures of any of such crops of which a good growth is obtained in orchards or on commercial vegetable or potato land, provided: (1) such crops are not pastured or harvested for grain, seed, hay, or forage; (2) such crops are incorporated into the soil by plowing or disking before November 1, 1938; and (3) if the land is subject to erosion there is a cover crop on such land on October 31, 1938.

B. Each acre of the following shall be counted as one and one-half units:

1. A full seeding of adapted red clover on land on which a seeding of perennial grass was not made under the 1937 Agricultural Conservation Program.

2. Seeding of mixtures of the legumes listed in subsection A, 1, and the legumes and grasses listed in subsection C, 1.

C. Each acre of the following shall be counted as two units:

1. Seeding white clover, seresia, kudzu (or plantings from rooted kudzu stem cuttings), blue grass, bromegrass, crested wheat grass, slender wheat grass, western wheat grass, gramma grasses, buffalo grass, blue-stem grasses, perennial rye grass, reed canary grass, meadow fescue, adapted alfalfa, or mixtures of any of such grasses and legumes, or mixtures of adapted red clover and one or more of the grasses and legumes listed in this subsection C, 1.

2. Cultivating, protecting, and maintaining, by replanting if necessary, a full stand of at least 500 trees per acre of forest plantings or 200 trees per acre of windbreak or shelterbelt plantings, planted between January 1, 1934, and January 1, 1938.

3. Improving a stand of forest trees by cutting weed trees and thinning or pruning other trees so as to leave at least 100 potential timber trees of desirable species per acre with a minimum diameter of 6 inches each, or at least 200 potential timber trees of desirable species per acre with a minimum diameter of 2 inches, well distributed over each acre of woodland, provided: (1) the county committee has approved the area on which such practice is to be carried out; and (2) such area is not grazed and is adequately protected against fire.

D. Each acre of the following shall be counted as five units:

1. Planting and protection of forest trees and trees for windbreak or shelterbelt purposes in accordance with good tree culture practice.

2. Applying sand free from stones or loam to a depth of at least one-half inch on fruiting cranberry bogs.

E. Each acre of the following shall be counted as one-half of a unit:

1. Seeding of timothy, reedtop, or a mixture thereof, or seeding one or both such grasses in a mixture with orchard grass.

F. Each acre of the following shall be counted as one-fourth of a unit:

1. Construction of contour furrows on non-crop open pasture land, except noncrop open pasture land that is sufficiently sandy and porous to absorb normal precipitation, provided: (1) the area contoured has an average slope not in excess of 8 percent; (2) the contour furrows are dammed sufficiently to prevent gully-ing; (3) the contour furrows are constructed on the contour level not less than 8 inches in width and 4 inches in depth; (4) the width between the furrows on any land with an average slope of 3 percent or less shall not exceed 25 feet; (5) the width between the furrows on any land with an average slope of more than three percent shall not exceed 25 feet less three feet for each percent by which the slope is greater than three percent.

2. Growing alternate strips of the following crops with intertilled crops: biennial sweet clover, annual sweet clover, alsike, yellow trefoil (black medica), hop clover, vetch, Austrian peas, bur clover, annual lespedeza, dalea, crotalaria, serecia, white clover,

kudzu, bluegrass, bromegrass, crested wheat grass, slender wheat grass, western wheat grass, gramma grasses, buffalo grass, bluestem grasses, meadow fescue, timothy, redtop, orchard grass, adapted alfalfa, adapted red clover, and close sown or drilled Sudan grass, millet, annual rye grass, reed canary grass, buckwheat, rye, soybeans, cow-peas, field peas, perennial rye grass, and any small grain crop or mixtures of any of such crops, provided: (1) such strips are approximately the same width; (2) such strips are not less than three rods nor more than 20 rods in width; (3) such strips run at right angles to the prevailing winds, or on the contour; and (4) the crop stubble is left on the land until November 1, 1938, in such a manner as will tend to prevent erosion.

3. Protecting summer fallowed acreage from wind and water erosion by contour or basin listing, strip-cropping, or incorporating small grain stubble or straw into the surface soil.

G. Each acre of the following shall be counted as one-eighth of a unit:

1. Growing intertilled crops on the contour on slopes of three percent or more on land approved by the county committee, to prevent wind or water erosion, provided: (1) the deviation of the crop rows from the true contour shall not exceed at any point a percentage equal to one-half of the percentage slope of the land, but in any case the maximum deviation shall not exceed three percent; (2) no deviation of the rows from the true contour shall be of a greater continuous distance than 60 feet; and (3) the crop stubble is left on the land or a winter cover crop is seeded on such land by November 1, 1938.

2. Listing on the contour, except as a part of a seeding operation, cropland with an average slope not in excess of 8 percent; provided: (1) adjoining furrows are not less than 8 inches in width nor less than 4 inches in depth; (2) the lister furrows are dammed sufficiently to prevent gullyng; and (3) such land is seeded in the fall to a cover crop or the lister ridges are left until November 1, 1938 to prevent erosion.

H. Each acre of the following shall be counted as one-tenth of a unit:

1. Basin listing, except as a part of a seeding operation of cropland, provided: (1) adjoining furrows are not less than 8 inches in width nor less than 4 inches in depth; and (2) the land is seeded to a cover crop or the lister ridges are left open until November 1, 1938.

2. Leaving on cropland not tilled after July 1, 1938, in the wind-erosion area, the natural vegetative cover or small grain stubble of crops harvested in 1938, where it is determined by the county committee that such cover is necessary as a protection against wind-erosion and such cover is left on the land until November 1, 1938.

I. Each of the practices hereinafter set forth in the amounts specified shall be counted as one unit. Application of the following materials in the amounts specified on noncrop open pasture land or on cropland in connection with a seeding of white clover, serecia, vetch, alsike, biennial sweet clover, crimson clover, lespedeza, bur clover, crotalaria, Austrian peas, yellow trefoil (black medica), hop clover, timothy, redtop, orchard grass, bluegrass, brome grass, crested wheat grass, slender wheat grass, western wheat grass, gramma grasses, buffalo grass, bluestem grasses, perennial rye grass, reed canary grass, meadow fescue, adapted red clover, adapted alfalfa or mixtures thereof, provided; (1) such application of materials and the seeding of the grass or legumes is not made in connection with any small grains planted in 1937 or 1938 for harvest in 1938 or 1939; (2) such application of materials and the seeding of the grass or legume is not made in connection

with the planting of any crop set forth in Section VII, A, except wheat planted in commercial orchards or on commercial vegetable land and used as a green manure crop; (3) if such application of materials and the seeding of the grass or legume is made in connection with oats, barley, rye, buckwheat, flax, emmer, speltz, sweet sorghums, Sudan grass, millet, rape, or mixtures of any of such crops, such crops must be used as a green manure crop, cover crop, nurse crop, or for pasture, and cannot be harvested for grain, hay, seed, syrup, or silage.

1. Application of 250 pounds of 16 percent superphosphate, 400 pounds of rock phosphate, 400 pounds of basic slag, or its equivalent. Such 16 percent superphosphate shall contain 16 percent by weight of available phosphoric acid. Other phosphates may be substituted for 16 percent superphosphate, provided that the quantity of such substitute applied shall contain not less than the quantity by weight of available phosphoric acid contained in the specified quantity of 16 percent of superphosphate.

2. Application of 150 pounds of 50 percent muriate of potash or its equivalent. Such 50 percent muriate of potash shall contain not less than 50 percent by weight of water soluble potash. Other materials containing potash may be substituted for 50 percent muriate of potash, provided; that the quantity of such substitute applied shall contain not less than the quantity by weight of water soluble potash contained in 100 pounds of 50 percent muriate of potash.

3. Application of 300 pounds of gypsum containing 18 percent of sulphur or its equivalent.

J. Each of the following practices in the amounts specified shall be counted as one unit:

1. Application of 2,000 pounds of ground limestone or its equivalent. Such ground limestone shall not be coarser than that obtained by grinding calcareous or dolomitic limestone so that not less than 90 percent with all finer particles obtained in the grinding process included, will pass through a ten-mesh sieve. It must contain calcium and magnesium carbonates equivalent to not less than 80 percent of calcium carbonate.

The following quantities of other calcareous substances are deemed as being equivalent to 2,000 pounds of ground limestone: 1,400 pounds of hydrated lime; 2 cubic yards of calcium carbide refuse lime; 2 cubic yards of water softening process refuse lime; 2 cubic yards of commercial wood ashes; 1/2 ton of commercial burnt lime; 4 cubic yards of calcareous clay; one ton of burnt lime waste; 1 ton of agricultural limestone meal; 2,750 pounds of limestone screenings; 3 tons of tailings from zinc mines.

2. Application of 1,000 pounds of ground limestone. Such finely ground limestone should not be coarser than that obtained by grinding calcareous or dolomitic limestone so that not less than 90 percent, with all finer particles obtained in the grinding process included, will pass through a 30-mesh sieve. It must contain calcium and magnesium carbonates, equivalent to not less than 80 percent of calcium carbonate.

3. Construction of 200 linear feet of terrace in accordance with good terracing practices and with proper outlets, provided, the county committee has approved the area on which such practice is to be carried out.

4. Application of not less than two tons, air dry weight, of mulching materials, except barnyard and stable manure, in commercial orchards or on commercial vegetable land.

5. Restoration of noncrop open pasture by nongrazing from May 15, 1938, to September 30, 1938, inclusive, an acreage equal to one-half of the number of acres of such pasture required to carry one animal unit for a 12-month period, provided such area is properly fenced to exclude the entry of livestock.

SECTION VII - DIVISION OF PAYMENT

A. Farms other than field rented, cotton or sharecropper farms. Each person's share of the payment or deduction to be made with respect to any farm other than a field rented, cotton or sharecropper farm shall be such person's share of the principal crop on such farm.

B. Field Rented Farms.- Each person's share of the payment or deduction to be made with respect to a field rented farm shall be determined by multiplying the percentage that the acreage of cropland in each tract is of the acreage of cropland in the farm by such person's percentage of the principal crop on such tract and adding the percentages so obtained for such person. In making such determination the acreage of cropland in each tract and in the farm shall be deemed to exclude the cropland used for hay, meadow, pasture, or other similar uses, when such cropland is rented for cash to a person who rents the balance of such farm for a share of the crop or the proceeds thereof.

C. Cotton and Sharecropper Farms. - Each person's share of the payment or deduction to be made with respect to a cotton or sharecropper farm shall be computed on the basis of the acreage shares of each such person in the soil-depleting crops grown, or the proceeds thereof, and the soil-building practices carried out on the farm in 1938. In computing the acreage share of each person each acre of dark air-cured tobacco shall be given a weight of 7; each acre of cigar filler and binder tobacco, a weight of 5; each acre of potatoes (planted on the farms for which potato goals are established), a weight of 3; each acre of cotton, rice, Burley tobacco, or corn (planted on farms for which corn goals are established), a weight of 2; each acre of other soil-depleting crops (excluding sugar beets), a weight of 1; and each acre unit of soil-building practices (excluding soil-building practices carried out by the owner of a farm rented to another person for cash and which are not required to meet the soil-building goal for the farm), a weight of 1. If the county committee determines that two or more persons have contributed to the carrying out of any soil-building practice, the acreage of such practice with respect to which such persons contributed shall be divided equally among them.

SECTION VIII - ASSOCIATION MEMBERSHIP AND DEDUCTION FOR EXPENSES

Any person who previously has not, in accordance with the Articles of Association, become a member of the county agricultural conservation association of the county in which his farms or ranches are located shall become a member thereof by signing an application under which a payment can be made with respect to any such farm or ranch. Any person shall cease to be a member of the association when it becomes evident that he can qualify for a payment in the county in connection with neither the

1938 Agricultural Conservation Program, the 1938 Range Conservation Program, nor the 1938 Sugar Program under the Sugar Act of 1937.

There shall be deducted pro rata from the payments made to members of each county agricultural conservation association all or such part as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by such association in cooperating in carrying out in such county the purposes of Sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act.

There shall be credited to each county agricultural conservation association for the payment of administrative expenses the amount of \$2.00 per farm for that number of farms estimated by the Agricultural Adjustment Administration with respect to which a payment (prior to deduction of any administrative expenses) of not more than \$20.00 will be made.

SECTION IX - PAYMENTS RESTRICTED TO EFFECTUATION OF THE PURPOSES OF THE PROGRAM

All or any part of any payment which otherwise would be made to any person under the 1938 Agricultural Conservation Program may be withheld (1) if he has adopted any practice which the Secretary determines tends to defeat any of the purposes of the program, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to forest land or wood land owned or controlled by him, he adopts any practice which tends to defeat the purposes of a sound conservation program as prescribed by the Director of the North Central Division.

SECTION X - PAYMENTS COMPUTED AND MADE WITHOUT REGARD TO CLAIMS

Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances, and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

SECTION XI - CHANGES IN LEASING AND CROPPING AGREEMENTS AND OTHER DEVICES

If the State committee finds that any person who files an application for a payment pursuant to the provisions of the 1938 Agricultural Conservation Program has made any change in the normal

leasing or cropping agreement for the farm or has employed any other scheme or device whatsoever, the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such other person would normally be entitled, the Secretary may withhold from the person participating in or employing such a scheme or device, or require such person to refund in whole or in part, the amount of any payment which had been or would otherwise be made to such person for performance in connection with the 1938 Agricultural Conservation Program.

SECTION XII - DEDUCTIONS INCURRED ON OTHER FARMS

A. If the deduction imposed for partial performance on a farm exceeds the payment for full performance on such farm, any person's share of the amount by which such deduction exceeds such payment shall be deducted from such person's share of the payment which otherwise would be made to him with respect to any other farms in the county.

B. If the deductions imposed for partial performance on farms in a county exceed the payments for full performance on such farms, any person's share of the amount by which such deductions exceed such payments may be deducted from such person's share of the payment which otherwise would be made to him with respect to any other farms in the State.

SECTION XIII - PRODUCTIVITY INDEXES

A. The Secretary shall establish for each county a county rate of payment for crops in the general soil-depleting goal which shall vary among the counties as the productivity of the cropland in the county devoted to the production of corn (except in counties in which corn goals are established), wheat, oats, barley, rye, buckwheat, grain sorghums, soybeans, field beans, sorghum for syrup, potatoes (except in counties in which potato goals are established), sweet potatoes, and broomcorn varies as compared with the productivity of cropland in the United States devoted to the production of such crops.

B. A general productivity index shall, in accordance with instructions issued by the Agricultural Adjustment Administration, be established for each farm by the county committee, subject to the approval of the State committee. Such general productivity index shall be based upon the normal yield per acre for the farm of the major soil-depleting crop in the county as compared with the normal yield per acre for such crop in the county. Where the yield of the major soil-depleting crop in the county does not accurately reflect the productivity of a farm, the yield of such other crop as does reflect the productivity of the farm, may be used, provided that the productivity index or rate per acre for such farm shall, if necessary, be adjusted so as to be fair and equitable as compared with the productivity indexes or rates per acre for other farms in the county having similar soils

or productive capacity, and as contrasted with other farms in the county having different soils or productive capacity. The average of the productivity index established for all farms in the county shall not exceed 100.

SECTION XIV - CORN, COTTON, TOBACCO, POTATO, AND
RICE YIELDS

A. There shall be established for each county having a corn, cotton, tobacco, potato, or rice goal the county check yield for each such crop. Such county check yield shall be determined by the Agricultural Adjustment Administration on the basis of average yields in the county during the ten-year period 1927 to 1936, inclusive, or such combination of five or more years as it is determined most accurately represents the normal yield of such crop in such county. If annual county yields are not available for any crop, the yields for census years and for other years for which data on yields are available to the Agricultural Adjustment Administration and the yields established under the 1937 Agricultural Conservation Program, shall be used as a basis for establishing county yields.

B. The county committee, in accordance with instructions issued by the Agricultural Adjustment Administration, shall establish (1) for each farm having a corn, cotton, tobacco, potato or rice goal a yield per acre for each such crop; (2) a corn yield per acre for each farm in the corn area for which no corn goal was established but on which corn is planted in 1938; (3) a potato yield per acre for each farm in the potato area for which no potato goal was established but on which potatoes are planted in 1938; and (4) a yield per acre for cotton, tobacco, and rice for each farm for which no cotton, tobacco or rice goal was established but on which cotton, tobacco, or rice is planted in 1938.

Such yield for any farm shall be that yield which the county committee, in accordance with instructions issued by the Agricultural Adjustment Administration, finds from all available facts to be the yield which could reasonably be expected from the land devoted to the production of such crop. In designating the yield, due consideration shall be given by the committee to the type of soil, drainage, erosion, production practices, general fertility of the land, and the yield of such crop customarily secured on the farm. The weighted average yield per acre for all farms in any county with respect to any such crop shall not exceed the county average yield for such crop.

SECTION XV - APPLICATION FOR PAYMENT

A. Payments will only be made upon application therefor filed with the county committee. An application for payment with respect to a farm may be made by any person who has the right, as owner, operator, landlord, sharecropper, or purchaser of a farm under an installment contract, to receive all or a portion of the crops produced on the farm or the proceeds therefrom or by the owner of a cash-rented cotton or sharecropper farm who has carried out any soil-building practices on such farm.

B. If a person has the right to receive all or a portion of the crops or proceeds therefrom, produced on more than one farm in a county and makes application for payment with respect to one of such farms, such person must make application for payment with respect to all such farms.

C. The net payment for any person shall be calculated to the nearest whole dollar. In calculating the net payment for any person, fractions of a dollar amounting to fifty cents or less shall be dropped and fractions of a dollar amounting to more than fifty cents shall be considered as one dollar.

D. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within the time fixed by the Director of the North Central Division. At least two weeks' notice to the public shall be given in advance of the expiration of a time limit for filing prescribed forms.

SECTION XVI - APPEALS

Any person who considers himself aggrieved by any recommendation or determination of the county committee with respect to the following matters affecting any farm in which he has an interest may, within 15 days after notice thereof is forwarded to or available to him request the county committee in writing to reconsider its recommendation or determination: (a) eligibility to file an application for payment; (b) any soil-depleting or soil-building goal; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person of its decision in writing within 15 days after receipt of such written request for reconsideration. If such person is dissatisfied with the decision of the county committee, he may, within 15 days after such decision, appeal in writing to the State committee. The State committee shall within 30 days after the receipt of the appeal inform such person of its decision. If such person is dissatisfied with the decision of the State committee, he may, within 15 days thereafter, request the Director of the North Central Division to review the decision of the State committee.

SECTION XVII - DEFINITION

As used herein and in all forms and documents relating to the 1938 Agricultural Conservation Program in the North Central Region, the following terms shall have the following meanings:

SECRETARY means the Secretary of Agriculture of the United States.

NORTH CENTRAL REGION means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

NORTH CENTRAL DIVISION means the division of the Agricultural Adjustment Administration in charge of the 1938 Agricultural Conservation Program in the North Central Region.

COUNTY means the political or civil division of a State designated as a county, except for the purposes of the 1938 Agricultural Conservation Program in the North Central Region the political or civil divisions of Polk, Ottertail, and St. Louis in Minnesota, and Pottawattamie in Iowa shall not be deemed counties. For the purposes of the 1938 Agricultural Conservation Program in the North Central Region, the townships of Badger, Brandsvold, Chester, Columbia, Eden, Garden, Fairfield, Godfrey, Grove Park, Gully, Hill River, Johnson, King, Knute, Lessor, Queen, Rosebud, Sletten, Tilden, Winger, and Woodside in the political or civil division in Minnesota known as Polk shall be a county known as East Polk County; and the remaining townships in such political or civil division in Minnesota shall be a county known as West Polk County; the townships of Blowers, Bluffton, Butler, Candor, Compton, Corliss, Dead Lake, Deer Creek, Dora, Eastern, Edna, Folden, Elmo Girard, Gorman, Henning, Hobart, Homestead, Inman, Leaf Lake, Newton, Oak Valley, Ottertail, Otto, Paddock, Parkers Prairie, Perham, Pine Lake, Rush Lake, Star Lake, and Woodside in the political or civil division in Minnesota known as Ottertail shall be a county known as East Ottertail County; and the remaining townships in such political or civil division shall be a county known as West Ottertail County; the townships of Albion, Alden, Arrowhead, Brevator, Canosia, Cedar Valley, Cotton, Dulver, Duluth, Duluth City, Elmer, Fine Lakes, Floodwood, Fredenburg, Gnesen, Grand Lake, Holden, Herman, Industrial, Kelsey, Lakewood, Meadowlands, Midway, Ness, New Independence, Normandie, Northland, Payne, Prairie Lake, Rice Lake, Solway, Stoney Brook, Troivola, Van Buren, 52-21, 53-16, and 54-15 in the political or civil division in Minnesota known as St. Louis shall be a county known as South St. Louis County; and the remaining townships in such political or civil division shall be a county known as North St. Louis County; the townships of Balkman, Carson, Center, Grove, James, Knox, Layton, Lincoln, Macedonia, Pleasant, Valley, Waveland, and Wright in the political or civil division in Iowa known as Pottawattamie shall be a county known as East Pottawattamie County; and the remaining townships in such political or civil division shall be a county known as West Pottawattamie County.

CORN AREA means the area included in the following counties of the following States: (any county in the corn area will be referred to as a corn county).

ILLINOIS: All counties except Franklin, Jefferson, Marion, Perry, Washington, and Williamson.

INDIANA: All counties except Brown, Clark, Crawford, Floyd, Harrison, Jefferson, Lawrence, Martin, Monroe, Ohio, Orange, Perry, Scotland, Spencer, Switzerland, and Washington.

IOWA: All counties.

MICHIGAN: Branch, Hillsdale, Lenawee, Monroe, St. Joseph.

MINNESOTA: Bigstone, Blue Earth, Brown, Carver, Chippewa, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Grant, Houston, Jackson, Kandiyohi, Lac qui Parle, Le Sueur, Lincoln, Lyon, Martin, McLeod, Meeker, Mower, Murray, Nicollet, Nobles, Olmsted, Pipestone, Redwood, Renville, Rice, Rock, Scott, Sibley, Steele, Stevens, Swift, Traverse, Wabasha, Waseca, Watonwan, Winona, Wright, Yellow Medicine.

MISSOURI: Adair, Andrew, Atchison, Audrain, Barton, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Cape Girardeau, Carroll, Cass, Chariton, Clark, Clay, Clinton, Cooper, Dade, Daviess, DeKalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Jackson, Jasper, Johnson, Knox, Lafayette, Lewis, Lincoln, Linn, Livingston, Macon, Marion, Mercer, Mississippi, Moniteau, Monroe, Montgomery, Morgan, New Madrid, Nodaway, Perry, Pettis, Pike, Platte, Putnam, Ralls, Randolph, Ray, St. Charles, St. Clair, Saline, Schuyler, Scotland, Scott, Shelby, Stoddard, Sullivan, Vernon, Worth.

NEBRASKA: Adams, Antelope, Boone, Boyd, Buffalo, Burt, Butler, Cass, Cedar, Chase, Clay, Colfax, Cuming, Custer, Dakota, Dawson, Dixon, Dodge, Douglas, Dundy, Fillmore, Franklin, Frontier, Gage, Gosper, Greeley, Hall, Hamilton, Harlan, Hayes, Hitchcock, Holt, Howard, Jefferson, Johnson, Kearney, Keith, Knox, Lancaster, Lincoln, Madison, Merrick, Nance, Nemaha, Nuckolls, Otoe, Pawnee, Perkins, Phelps, Pierce, Platte, Polk, Red Willow, Richardson, Saline, Sarpy, Saunders, Seward, Sherman, Stanton, Thayer, Thurston, Valley, Washington, Wayne, Webster, York.

OHIO: Adams, Allen, Auglaize, Brown, Butler, Champaign, Clark, Clermont, Clinton, Crawford, Darke, Defiance, Delaware, Erie, Fairfield, Fayette, Franklin, Fulton, Greene, Hamilton, Hancock, Hardin, Henry, Highland, Huron, Knox, Licking, Logan, Lucas, Madison, Marion, Mercer, Miami, Montgomery, Morrow, Ottawa, Paulding, Perry, Pickaway, Pike, Preble, Putnam, Richland, Ross, Sandusky, Scioto, Seneca, Shelby, Union, Van Wert, Warren, Williams, Wood, Wyandott.

SOUTH DAKOTA: Bon Homme, Brookings, Charles Mix, Clay, Davison, Douglas, Hanson, Hutchinson, Kingsbury, Lake, Lincoln, McCook, Miner, Minnehaha, Moody, Sanborn, Turner, Union, Yankton.

WISCONSIN: Dane, Grant, Green, Iowa, Lafayette, Rock.

POTATO AREA means the area included in the following counties of the following States: (Any county located in the potato area will be referred to as a potato county). Except as otherwise noted, all such counties shall be considered as in the late producing area.

INDIANA: Allen, Carroll, Cass, Clark, DeKalb, Elkhart, Floyd (early), Fulton, Harrison (early), Howard, Huntington, Jasper (early), Kosciusko, Lagrange, Lake, La Porte, Marshall, Miami, Noble, Perry (early), Porter, Pulaski, Randolph, St. Joseph, Spencer (early), Starke, Steuben, Wabash, Whitley.

MICHIGAN: All counties.

MINNESOTA: Aitkin, Anoka, Becker, Beltrami, Benton, Blue Earth, Carlton, Cass, Chisago, Clay, Clearwater, Crow Wing, Dakota, Dodge, Douglas, Faribault, Fillmore, Freeborn, Goodhue, Hennepin, Houston, Hubbard, Isanti, Itasca, Kanabec, Kittson, Koochiching, Lake of the Woods, Mahanomen, Marshall, Martin, Mille Lacs, Morrison, Mower, Nobles, Norman, Olmsted, Ottertail, Pennington, Pine, Polk, Ramsey, Red Lake, Rock, Roseau, St. Louis, Sherburne, Stearns, Steele, Todd, Wabasha, Wadena, Waseca, Washington, Wilkin, Winona, Wright.

MISSOURI: Clay, Jackson, Ray, St. Louis (all early).

NEBRASKA: Banner, Box Butte, Buffalo, Cherry, Cheyenne, Dakota, Dawes, Dawson, Garden, Kimball, Morrill, Scotts Bluff, Sheridan, Sioux.

OHIO: Allen, Ashland, Ashtabula, Auglaize, Carroll, Champaign, Clark, Columbiana, Cochocton, Crawford, Cuyahoga, Darke, Defiance, Erie, Fulton, Geauga, Hamilton, Hancock, Hardin, Henry, Holmes, Huron, Knox, Lake, Licking, Logan, Lorain, Lucas, Mahoning, Medina, Meigs, Miami, Montgomery, Morrow, Muskingum, Portage, Putnam, Richland, Sandusky, Scioto, Seneca, Stark, Summit, Trumbull, Tuscarawas, Van Wert, Washington, Wayne, Williams, Wood.

SOUTH DAKOTA: Brookings, Butte, Coddington, Deuel, Hamlin, Minnehaha.

WISCONSIN: All counties.

WIND-EROSION AREA means the area included in the following counties in the following States: (Any county in such area will be referred to as a wind-erosion county.)

NEBRASKA: Antelope, Arthur, Banner, Blaine, Boone, Brown, Box Butte, Boyd, Chase, Cherry, Cheyenne, Custer, Dawes, Dawson, Deuel, Dundy, Frontier, Garden, Garfield, Grant, Greeley, Hayes, Hitchcock, Holt, Hooker, Howard, Keith, Keyapaha, Kimball, Lincoln, Logan, Loup, Madison, McPherson, Morrill, Merrick, Nance, Perkins, Pierce, Red Willow, Rock, Scotts Bluff, Sheridan, Sherman, Sioux, Thomas, Valley, and Wheeler.

SOUTH DAKOTA: All counties except: Bon Homme, Brookings, Clay,

Coddington, Deuel, Grant, Hamlin, Hanson, Hutchinson, Lake, Lincoln, McCook, Miner, Minnehaha, Roberts, Turner, Union, and Yankton.

AREA "B" means the area included in the following counties of Missouri: Butler, Dunklin, Mississippi, New Madrid, Pemiscot, Ripley, Scott, and Stoddard.

STATE COMMITTEE means the group of persons designated for a State to assist in the administration of the 1938 Agricultural Conservation Program in such State.

COUNTY ASSOCIATION means the association of the county organized to assist in the administration of the 1938 Agricultural Conservation Program in such county. The boundaries of a county shall determine the boundaries of the association for such county, provided, however, that upon approval in advance by the State committee and the Director of the North Central Division, two or more counties may have one association.

COUNTY COMMITTEE means the group of persons designated for a county to assist in the administration of the 1938 Agricultural Conservation Program in such county.

PERSON means an individual, firm, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

SHARECROPPER means a person who works a farm in whole or in part under general supervision of the operator and is entitled to receive for his labor a proportionate share of a crop produced thereon, or the proceeds thereof.

FARM means all adjacent or nearby farmland under the same ownership which is either: (a) operated by one person as all or part of the land operated by such person with workstock, farm machinery, and labor substantially separate from that for any other land; or (b) field rented in whole or in part to and operated by other persons. A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

FIELD RENTED FARM means a farm on which tracts therein are rented to one or more persons for cash, a share of the crops produced thereon or the proceeds thereof, or both, except a farm on which the cash-rented tracts are used for hay, meadow, pasture, or other similar uses and are rented to a person who rents the balance of such farm for a share of the crops produced thereon or the proceeds thereof. In such cases, such cash-rented acreage shall not be used in determining the principal crop.

COTTON FARM means any farm in Area "B" which has a cotton goal, or on which cotton is grown in 1938.

SHARECROPPER FARM means any farm operated with the aid of sharecroppers in 1938, which farm is not a cotton farm.

CROPLAND means farmland which is tilled annually or in a regular rotation but shall not include restoration land or any land which constitutes, or will constitute if such tillage is continued, a wind or water erosion hazard to the community because of the texture or slope of such land or because of climatic conditions, but shall include land which has been planted since January 1, 1934, to permanent pasture or forest trees and which was classified as cropland under the 1937 Agricultural Conservation Program, and shall include also land planted to commercial or non-commercial orchards other than abandoned orchards.

RESTORATION LAND means farmland in Nebraska and South Dakota which is subject to serious wind erosion and unsuited to continuing production of cultivated crops, which has been cropped at least once since January 1, 1933, and which is designated by the county committee as land on which, because of its physical condition and texture and because of climatic conditions, a permanent vegetative cover should be restored.

COMMERCIAL ORCHARDS means the acreage in planted fruit trees, nut trees, vineyards, hops, or bush fruits on the farm on January 1, 1938 (excluding non-bearing orchards and vineyards), from which the principal part of the production is normally sold.

COMMERCIAL VEGETABLE LAND means the acreage of vegetables or truck crops (including potatoes on farms where a potato goal is not established, sweet potatoes, tomatoes, sweet corn, melons, canteloupes, strawberries, and commercial bulbs and flowers, but excluding peas for canning and sweet corn for canning) of which the principal part of the production was sold to persons not living on the farm.

NONCROP OPEN PASTURE means pasture land (other than rotation pasture land and range land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land would not be considered as woodland.

PRINCIPAL CROP means the soil-depleting crop, other than sugar beets, to which the greatest number of acres on the farm or tract is devoted in 1938. For the purpose of determining the principal crop, all small grains, or the proceeds thereof, which are divided in the same percentage shall be considered as one crop. If there is no such soil-depleting crop which has a larger acreage in 1938 than any other such soil-depleting crop, the principal crop shall be the soil-depleting crop other than sugar beets grown on the farm which is of major importance in terms of acreage planted in the county in which such farm is located. If there is no such soil-depleting crop planted on the farm for harvest in 1938, the principal crop shall be the crop having the largest 1938 acreage. If no crop is grown on the farm in 1938, it shall be considered that the principal crop is the crop to which the greatest number of acres on the farm is usually devoted.

GENERAL SOIL-DEPLETING GOAL means the total soil-depleting goal established for the farm less the sum of the acreage included in each individual crop goal established for the farm and less the acreage of sugar beets planted on such farm in 1938.

GENERAL SOIL-DEPLETING CROPS means all soil-depleting crops other than sugar beets and those for which individual crop goals are established for the farm.

SOWN CORN OR CLOSE DRILLED CORN means corn planted in such manner that the corn plants are so close together that under no circumstances will kernels form on the ears. Such corn may be (1) sown broadcast or close drilled; or (2) planted in rows one-half the normal distance apart with at least the normal number of plants to the hill; or (3) planted in rows the normal distance apart but with at least seven plants to the hill; or (4) listed in rows the normal distance apart but with at least twice the normal number of plants to the row.

INTERTILLED CROP means any crop which is tilled or cultivated one or more times between the seeded or planted rows.

ANIMAL UNIT means one cow, one horse, five sheep, five goats, two calves, two colts, or the equivalent thereof.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

1938 AGRICULTURAL CONSERVATION PROGRAM

North Central Region

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1938 AGRICULTURAL CONSERVATION PROGRAM

Pursuant to the provisions of the 1938 Agricultural Conservation Program Bulletin, as Amended February 19, 1938, (ACP-A38-3), issued by the Secretary of Agriculture and the authority vested thereby in the Agricultural Adjustment Administration, payments will be made for participation in the North Central Region in the 1938 Agricultural Conservation Program in accordance with provisions of this bulletin and such modifications thereof or other provisions as may hereafter be made. This bulletin includes all the provisions of the said 1938 Agricultural Conservation Program Bulletin which are applicable to the North Central Region, together with determinations authorized therein to be made by the Agricultural Adjustment Administration and the Director of the North Central Division.

The provisions of the 1938 Agricultural Conservation Program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments herein provided are contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation and the extent of national participation. Any increase or decrease in rates of payments and deductions with respect to any crop or other item of payment made because of the extent of participation in the program in connection with such crop or item of payment will not exceed 10 percent.

The provisions of the 1938 Agricultural Conservation Program contained in this bulletin are not applicable to (1) counties for which special agricultural conservation programs under the Said Act are approved for 1938 by the Secretary; and (2) public domain of the United States, including land owned by the United States and administered under the Taylor Grazing Act or by the Forest Service of the United States Department of Agriculture, and other lands in which the beneficial ownership is in the United States.

Section 1. National and State Acreage Allotments and Goals.

A. National goals. The national goals in connection with the 1938 Agricultural Conservation Program shall be as follows:

1. The following acreages of soil-depleting crops:

Cotton	26,000,000 to 27,000,000 acres
Corn	94,000,000 to 97,000,000 acres
Tobacco:	
Flue-cured	850,000 to 875,000 acres
Burley	450,000 to 475,000 acres
Fire-cured and dark air-cured	170,000 to 180,000 acres
Cigar filler and binder	85,000 to 90,000 acres
Georgia-Florida Type 62	2,800 to 3,000 acres
Potatoes	3,100,000 to 3,300,000 acres
Peanuts	1,500,000 to 1,600,000 acres
Rice	825,000 to 875,000 acres
Total soil-depleting crops	275,000,000 to 290,000,000 acres

2. The seeding and maintenance of soil-conserving crops on the cropland not required in 1938 for the growing of soil-depleting crops; the restoration, insofar as is practicable, of a permanent vegetative cover on 6,000,000 acres of land unsuited to the continued production of cultivated crops; and the carrying out of soil-building practices that will preserve and improve soil fertility and prevent wind and water erosion.

B. National and State acreage allotments and restoration land goals. National and State acreage allotments of soil-depleting crops and State restoration land goals will be determined by the Secretary.

Section II. County Acreage Allotments and Goals.

A. County acreage allotments of soil-depleting crops. The Agricultural Adjustment Administration with the assistance of State committees shall establish county acreage allotments for total soil-depleting crops, and for cotton, corn, wheat, tobacco, and potatoes, and goals for restoration land as hereinafter set forth. The soil-depleting acreage allotments for all counties in each State shall not exceed the applicable acreage allotment established for the State by the Secretary except as otherwise provided in this bulletin.

1. Total soil-depleting acreage allotments. County acreage allotments of total soil-depleting crops shall be established by distributing the State acreage allotment of total soil-depleting crops among the counties in the State on the basis of the average acreage of soil-depleting crops grown in such counties in whichever of the periods of five or more consecutive years since 1927 the Agricultural Adjustment Administration finds is most representative of normal conditions and the base acreages of total soil-depleting crops established in connection with the 1937 Agricultural Conservation Program, adjusted where necessary for farms for which provision was not made in 1937, with due allowance for trends in acreage of soil-depleting crops, and the relationship of the usual acreage of individual soil-depleting crops to the 1938 acreage allotments in counties where allotments for individual soil-depleting crops are established.

2. Cotton acreage allotments. (a) County acreage allotments for cotton shall be determined as follows: The State acreage allotment of cotton (less 2 percent or such smaller part thereof as the Agricultural Adjustment Administration determines shall be required in the State in making allotments to farms on which cotton will be planted in 1938 but on which cotton was not planted in any of the years 1935, 1936, and 1937) shall be prorated among the counties in the State on the basis of the acreage planted to cotton during the five years, 1933 to 1937, inclusive, plus, in the applicable years, the acreage diverted from the production of cotton under agricultural adjustment and conservation programs, provided, that there shall be added to the acreage allotment for each county so determined the number of acres, if any, required to provide an acreage allotment in such county of not less than 60 percent of the sum of (1) the acreage planted to cotton in such county in 1937, and (2) the acreage therein diverted from the production of cotton in 1937 under the agricultural conservation program.

(b) In any county where the Agricultural Adjustment Administration finds that there are one or more administrative areas which, because of differences in types, kinds and productivity of the soil or other conditions shall be treated separately in order to prevent discrimination, the county acreage allotment shall be apportioned pro rata among such administrative areas on the basis of the acreage planted to cotton in 1937 plus the acreage diverted from the production of cotton under the 1937 Agricultural Conservation Program, or, if the Agricultural Adjustment Administration determines that conditions affecting the acreage planted to cotton were not reasonably uniform throughout the county in 1937, then on the basis of the cotton soil-depleting base acreages established under the 1937 Agricultural Conservation Program. Allotments to the farms within each such administrative area shall be made by distributing the allotment for such administrative area in the manner provided in Section III for the apportionment of cotton county acreage allotments among farms.

3. Corn acreage allotments. County acreage allotments of corn for counties in the commercial corn-producing area shall be established by distributing the State acreage allotment of corn among such counties in such State pro rata on the basis of the acreage of corn seeded for the production of corn in such counties during the ten years, 1928 to 1937, inclusive, plus, in applicable years, the acreage diverted under the agricultural adjustment and conservation programs. If, on account of abnormal weather conditions, the acreage seeded to corn in a county in any year of such ten-year period was less than 50 percent or more than 150 percent of the average for the other nine years, such year shall be eliminated in calculating the average acreage seeded to corn for such county. The average acreage seeded in any county so determined shall be adjusted for trends in acreage by giving due consideration to the average annual increase or decrease in the acreage seeded to corn in the county as indicated by the acreage seeded to corn and diverted from the production of corn under agricultural adjustment and conservation programs during the last five years of the period 1928 to 1937, inclusive, as compared with the acreage seeded to corn during the first five years of such period.

4. Wheat acreage allotments. County acreage allotments of wheat shall be established by distributing the State acreage allotment of wheat among the counties in such State pro rata on the basis of the acreage of wheat seeded for the production of wheat during the ten years, 1928 to 1937, inclusive, plus, in applicable years, the acreage diverted under agricultural adjustment and conservation programs. If, on account of abnormal weather conditions, the acreage seeded for the production of wheat in a county in any year of such ten-year period was less than 50 percent or more than 150 percent of the average computed for the other nine years, such year shall be eliminated in calculating the average acreage seeded for the production of wheat in such county. The average acreage seeded in any county for the production of wheat so determined shall be adjusted for trends in acreage by giving equal weight to the acreages seeded for the production of wheat and the acreages diverted from the production of wheat during the years 1935, 1936, and 1937, and to the acreages so seeded and diverted during the ten-year period 1928 to 1937, inclusive, as adjusted for abnormal weather conditions.

5. Tobacco acreage allotments. County acreage allotments for each kind of tobacco shall be established by distributing the State acreage allotment of such kind of tobacco among the counties in such State on the

basis of the total acreage planted to such kind of tobacco in the county during the years 1933 to 1937, inclusive, plus in applicable years the acreage diverted under agricultural adjustment and conservation programs, with such adjustments as are necessary to make correction for abnormal conditions of production, for small farms, and for trends in acreage, giving due consideration to seedbed and other plant diseases during such five-year period.

6. Potato acreage allotments. In the commercial potato-producing area, county acreage allotments of potatoes shall be established by distributing the State acreage allotment of potatoes among such counties in such State pro rata on the basis of the average devoted to potatoes in such counties during the years 1933 to 1937, inclusive, taking into consideration trends in acreage on commercial potato-producing farms as reflected by the acreage planted to potatoes in 1937, as compared with the average acreage planted during such five-year period, and also taking into consideration the acreage of potatoes on non-commercial potato-producing farms.

B. County restoration land goals. County goals for restoration land shall be established by distributing the applicable State restoration land goal among the counties in the wind erosion area on the basis of the amount of land in such counties which was cropped at least once since January 1, 1930 but on which, because of its physical condition and texture and because of climatic conditions, a permanent vegetative cover should be restored.

C. County soil-building goals. Insofar as practicable, county goals shall be established for particular soil-building practices which are not routine farming practices and which are most needed in the county in order to preserve and improve soil fertility and to prevent wind and water erosion.

Section III. Farm Acreage Allotments and Goals. The county committee, with the assistance of other local committees in the county, shall determine acreage allotments, restoration land goals, and soil-building practice goals, in accordance with provisions contained herein and instructions issued by the Agricultural Adjustment Administration. The soil-depleting acreage allotments determined for the farms in a county shall not exceed the applicable county acreage allotments established for the county by the Agricultural Adjustment Administration, and the sum of the acreage allotments for farms furnishing required forms and information shall not exceed their proportionate share of the county acreage allotments.

A. Soil-depleting acreage allotments.

1. Total soil-depleting acreage allotment. The total soil-depleting acreage allotment for any farm shall be established on the basis of good soil management, tillable acreage on the farm, type of soil, topography degree of erosion, and the acreage of all soil-depleting crops customarily grown on the farm, taking into consideration allotments established for individual soil-depleting crops. The total soil-depleting acreage allotment for any farm shall be comparable with the allotments determined for other farms in the same community which are similar with respect to such factors.

2. Cotton allotment.

(a) County cotton acreage allotments shall be apportioned among the farms in the county on which cotton was planted in any one of the years 1935, 1936, and 1937, inclusive, in a manner that will result in a cotton acreage allotment for each such farm which is a percentage (which shall be the same percentage for all farms in the county or administrative area) of the land in the farm in 1937 which was tilled annually or in regular rotation exclusive of the acres of such land normally devoted to the production of wheat, tobacco, or rice for market or for feeding to livestock for market except that (1) for any farm with respect to which the highest acreage planted to cotton and diverted from the production of cotton in any one of the three years 1935, 1936, and 1937, is five acres or less, the cotton acreage allotment for the farm shall be such highest number of acres if the county cotton acreage allotment is sufficient therefor; (2) for any farm with respect to which the highest number of acres planted to cotton and diverted from the production of cotton in any one of the three years, 1935, 1936, and 1937, is more than five acres, the allotment for the farm shall not be less than five acres if the county cotton acreage allotment is sufficient therefor; (3) notwithstanding the foregoing provisions of this paragraph (a), a number of acres equal to not more than 3 percent of the county acreage allotment in excess of the allotments made to farms on which the highest number of acres planted to cotton plus the acres diverted from the production of cotton in any of the years 1935, 1936, and 1937, was five acres or less and the number of acres required for allotments of five acres for each other farm in the county on which cotton was planted in 1935, 1936, or 1937 may be apportioned among farms in the county on which cotton was planted in 1935, 1936, or 1937, and for which the allotment otherwise provided is five acres or more but less than 15 acres and less than the highest number of acres planted to cotton and diverted from the production of cotton in any one of the years 1935, 1936, and 1937. In making such allotments under clause (3) in the preceding sentence consideration shall be given to the land, labor, and equipment available for the production of cotton, crop rotation practices, and the soil and other facilities affecting the production of cotton, and such increases shall not be such as to increase the allotment to any farm above 15 acres. In no event shall the allotment for any farm under this paragraph (a), exceed the highest number of acres planted to cotton and diverted from the production of cotton in any one of the three years 1935, 1936, and 1937.

(b) That portion of the State acreage allotment not apportioned among the counties under Section II, subsection A, paragraph 2(a), hereof shall be apportioned to farms in the State on which cotton will be planted in 1938 but on which cotton was not planted in any of the years 1935, 1936, and 1937, so as to result in comparable allotments to farms similar with respect to land, labor, and equipment available for the production of cotton, crop rotation practices, and the soil and other physical facilities affecting the production of cotton. The county committee shall report, through the State committee, to the Agricultural Adjustment Administration, the acreage required for the allotments to such farms in the county together with such substantiating data as may be required by the Agricultural Adjustment Administration, and the Agricultural Adjustment Administration shall allot to the county the proportion of that part of the State acreage allotment reserved for this purpose which it finds reasonable on the basis of the data so reported.

3. Corn allotment. Acreage allotments of corn shall be determined for farms in the commercial corn-producing area on the basis of tillable acreage, crop rotation practices, type of soil and topography. The allotment for any farm shall be comparable to the allotments recommended for other farms in the same community which are similar with respect to such factors.

4. Wheat allotment. Acreage allotments of wheat shall be determined for farms on which wheat has been seeded for harvest in one or more of the years 1935, 1936, and 1937, on the basis of tillable acreage, crop rotation practices, type of soil and topography. Not more than 3 percent of the county wheat acreage allotment shall be apportioned to farms in such county on which wheat was not seeded for harvest in any one of the three years 1935, 1936, and 1937, on the basis of tillable acreage, crop rotation practices, type of soil and topography. The wheat acreage allotment for any farm shall be comparable with the allotment determined for other farms in the same community which are similar with respect to such factors.

5. Tobacco allotment. Acreage allotments for each kind of tobacco shall be determined on the basis of past acreage of each kind of tobacco with due allowance for the effects of abnormal weather conditions and plant-bed and other diseases; land, labor, and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco. The tobacco acreage allotment for any farm on which tobacco was grown in one or more of the years 1934 to 1937, inclusive, shall be comparable with the allotments for other farms in the same community which are similar with respect to such factors; provided, that in the case of burley and dark air-cured tobacco, special consideration shall be given to farms for which acreage allotments are small. The allotment for any farm on which tobacco is to be produced in 1938 for the first time since 1933 shall not exceed 75 percent of the allotment for other farms in the same community on which tobacco was produced since 1933 which are similar with respect to land, labor, and equipment available for the production of tobacco; crop rotation practices, and the soil and other physical factors affecting the production of tobacco.

6. Potato allotment. In counties included in the commercial potato-producing area, allotments shall be determined for each farm normally producing potatoes excluding farms on which the acreage normally planted to potatoes for market is determined to be less than three acres. No potato acreage allotment shall be less than three acres. Potato acreage allotments shall be established on the basis of good soil management, tillable acreage on the farm, type of soil, topography, degree of erosion, production facilities, and the acreage of potatoes customarily grown on the farm. The potato acreage allotment for any farm shall be comparable with the allotments for other farms in the same community which are similar with respect to such factors.

7. Rice allotment. (a) A rice acreage allotment shall be determined for each farm on which rice is grown in 1938 on the basis of the rice acreage apportioned to the persons participating in the production of rice on such farm in 1938 and allocated by them to such farm, the acreage on the farm suited to rice production and for which water is readily available, and the acreage of rice customarily grown by such persons. The rice acreage allotment for any farm shall be comparable with the allotments for other farms in the same community which are similar with respect to such factors.

(b) The State rice acreage allotment (less 1 percent or such smaller part thereof as the Agricultural Adjustment Administration determines shall be required in the State for apportionment as provided in paragraph (c) below) shall be apportioned by the State committee, in accordance with instructions issued by the Agricultural Adjustment Administration, among the persons in the State who are participating in the production of rice in 1938, on the basis of their production of rice during the years 1933 to 1937, inclusive; land, labor, equipment, and water available for the production of rice; crop rotation practices, soil fertility, and other physical factors affecting the production of rice.

(c) That portion of the State rice acreage allotment not apportioned among farms pursuant to paragraph (b) above, shall be apportioned by the State committee, in accordance with instructions issued by the Agricultural Adjustment Administration, among the persons in the State who are participating in the production of rice in 1938 but who did not participate in the production of rice in any one of the years 1933 to 1937, inclusive, on the basis of land, labor, equipment, and water available for the production of rice; crop rotation practices, soil fertility, and other physical factors affecting the production of rice.

8. General crop allotment. A general crop acreage allotment shall be determined for each farm. Such general crop acreage allotment shall be the total soil-depleting acreage allotment in excess of the sum of (1) the individual crop acreage allotments established for the farm, and (2) the acreage of sugar beets grown on the farm in 1938.

B. Restoration land and soil-building goals.

1. Restoration land goal. Restoration land goals shall be determined on the basis of the land on the farm which has been cropped at least once since January 1, 1930, but on which, because of its physical condition and texture and because of climatic conditions, a permanent vegetative cover should be restored.

2. Soil-building goal. The soil-building goal for any farm shall be the number of units of soil-building practices equal to two-thirds of the number of dollars computed for the farm under Section IV, subsection C, with respect to the soil-conserving acreage, the commercial vegetable acreage, commercial orchards, and noncrop pasture land for all farms. The goal so established shall represent the number of units of applicable practices to be carried out on the farm. Insofar as practicable, the county committee shall determine for individual farms practices to be followed in meeting the goal which are not routine farming practices on the farm but which are needed on the farm in order to preserve and improve soil fertility and prevent wind and water erosion, and which will tend to accomplish the goals, if any, established for the county with respect to particular soil-building practices.

C. Posting of acreage allotments. All acreage allotments established for farms in a county shall be posted or kept freely available for public inspection in the office of the county committee or county agricultural extension agent.

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Section IV. Payment for Full Performance.

Payment will be made with respect to any farm for not exceeding soil-depleting acreage allotments, and for achieving soil-building and restoration land goals, in an amount which shall be the sum of the following:

A. Soil-depleting acreage allotments.

1. Cotton - 2.4 cents per pound of the normal yield per acre of cotton for the farm for each acre in the cotton acreage allotment; or, if the acreage planted to cotton is less than 80 percent of the cotton acreage allotment and the county committee finds that the failure to plant 80 percent of such cotton acreage allotment was not due to flood or drought, for 125 percent of the acreage planted to cotton.

2. Corn - 10 cents per bushel of the normal yield per acre of corn for the farm for each acre in the corn acreage allotment; or, if the acreage planted to corn is less than 80 percent of the corn acreage allotment and the county committee finds that the failure to plant 80 percent of such corn acreage allotment was not due to flood or drought, for 125 percent of the acreage planted to corn.

3. Wheat - 12 cents per bushel of the normal yield per acre of wheat for the farm for each acre in the wheat acreage allotment; or, if the acreage planted to wheat is less than 80 percent of the wheat acreage allotment and the county committee finds that the failure to plant 80 percent of such wheat acreage allotment was not due to flood or drought, for 125 percent of the acreage planted to wheat.

4. Tobacco - The following number of cents per pound of the normal yield per acre of tobacco for the farm for each acre in the tobacco acreage allotment for each of the following kinds of tobacco:

- (a) Burley 0.5 cent
- (b) Dark air-cured . . . 1.5 cents
- (c) Cigar filler 1.0 cent
and binder

Provided, That in the case of cigar filler and binder tobacco, if the acreage planted to such kind of tobacco is less than 80 percent of the acreage allotment therefor and the county committee finds that the failure to plant 80 percent of the acreage allotment was not due to flood, drought, or plant-bed diseases, the payment shall be computed on 125 percent of the acreage planted to cigar filler and binder tobacco.

5. Potatoes - 3 cents per bushel of the normal yield per acre of potatoes for the farm for each acre of potatoes planted on the farm in 1938 not in excess of the potato acreage allotment.

6. Rice - 0.125 of a cent per pound of the normal yield per acre of rice for the farm for each acre in the rice acreage allotment, or if the acreage planted to rice is less than 80 percent of the rice acreage allotment and the county committee finds that failure to plant 80 percent of such rice acre-

age allotment was not due to flood or drought, for 125 percent of the acreage planted to rice.

7. General soil-depleting crops on class A farms - \$1.25 per acre, adjusted for productivity, for each acre in the general crop acreage allotment in excess of one-half of the sum of the cotton, Burley tobacco and dark air-cured tobacco acreage allotments established for the farm.

B. Restoration land goals -

1. 50 cents per acre for each acre in the restoration land goal established for the farm.

C. Payments in connection with soil-building practices -

1. 50 cents per acre of cropland in the farm in excess of the total soil-depleting acreage allotment for the farm.

2. \$1.50 per acre of the average acreage of land on which commercial vegetables were grown on the farm in 1936 and 1937.

3. \$2.00 per acre of commercial orchards on the farm January 1, 1938.

4. 2 cents per acre of noncrop open pasture land in the farm, plus \$1.00 for each animal unit of grazing capacity (on a 12-month basis) of such pasture.

Section V. Payments for Partial Performance. Payments computed for any farm under the provisions of Section IV shall be subject to all the following deductions which are applicable to the farm.

A. Deductions for excess acreages of soil-depleting crops.

1. Cotton - 5 cents per pound of the normal yield for the farm for each acre of cotton in excess of the cotton acreage allotment.

2. Corn - 5 times the payment rate specified in Section IV for the normal yield for the farm on the acreage by which the corn acreage exceeds the corn acreage allotment.

3. Tobacco and potatoes -

(a) 5 times the payment rate specified in Section IV for the normal yield for the farm on the acreage by which the dark air-cured tobacco acreages exceeds the acreage allotment for such type of tobacco.

(b) 10 times the payment rate specified in Section IV for the normal yield for the farm on the acreages by which the acreages of Burley tobacco, cigar filler and binder tobacco, and potatoes exceed the respective acreage allotments established for such crops, and on farms for which potato acreage allotments are not established in designated commercial areas on each acre by which the acreage of potatoes for market exceeds three acres.

4. Rice - 8 times the payment rate specified in Section IV for the normal yield for the farm on the acreage by which the rice acreage exceeds the rice acreage allotment.

5. Total soil-depleting acreage allotments. The following applicable rate for each acre of soil-depleting crops in excess of the total soil-depleting acreage allotment, less the acreages for which deductions are made under items 1 to 4 inclusive, of this subsection A:

(a) 8 times the rate of payment with respect to the wheat acreage allotment if a wheat acreage allotment is established for the farm.

(b) 8 times the rate of payment with respect to the general soil-depleting acreage allotment if a wheat acreage allotment is not established for the farm.

B. Deductions for failure to carry out soil-building practices and conservation measures.

1. \$1.50 for each unit by which the soil-building goal is not reached.

2. \$1.00 for each acre of restoration land on which there are not carried out in 1938 conservation measures specified by the county committee in accordance with instructions issued by the Agricultural Adjustment Administration.

C. Deduction for failure to prevent wind and water erosion. \$1.00 for each acre of land, other than restoration land, in the wind erosion area with respect to which there are not adopted in 1938 methods recommended by the State committee and approved by the Agricultural Adjustment Administration for the prevention of wind or water erosion.

D. Deduction for breaking out of native sod. \$3.00 for each acre of native sod or any other land which has been cropped but is not classified as cropland or pasture land which, in the wind erosion area, is broken out during the period November 1, 1937, to October 31, 1938, inclusive, unless the breaking out of such land is approved by the county committee as a good farming practice and an equal acreage of cropland on the same farm is restored to permanent vegetative cover, such acreage of cropland to be in addition to that designated as restoration land.

Section VI. Division of Payments and Deductions.

A. Payments and deductions in connection with acreage allotments and restoration land goals. The net payment or net deduction computed for any farm with respect to the corn, cotton, rice, wheat, tobacco, potato or general crop acreage allotment shall be divided among the landlords, tenants, and share-croppers in the same proportion (as indicated by their acreage shares) that such persons are entitled, at the time the crop is harvested, to share in the proceeds (other than a fixed commodity payment) of the corn, cotton, rice, wheat, tobacco, potato or general crops, respectively, grown on the farm in 1938.

The net payment or net deduction computed for any farm with respect to the restoration land goal shall be divided in the same proportion that any payment with respect to the wheat acreage allotment for such farm is divided among landlords, tenants, and share-croppers, provided that if no payment is computed with respect to a wheat acreage allotment for such farm payment with respect to the restoration land goal shall be divided in the same proportion that any payment in connection with the general crop acreage allotment for such farm is, or would be, divided among landlords, tenants, and sharecroppers. In the event that restoration land is designated for a farm which is not operated by a tenant in 1938, payment, if any, with respect to such restoration land goal shall be made to the owner of such farm.

In computing such net payments and net deductions with respect to acreage allotments and restoration land goals, the total amount of deductions computed under Section V with respect to (1) soil-depleting crops grown in excess of the total soil-depleting acreage allotment (item 5 subsection A); (2) failure to prevent wind and water erosion (subsection C); and (3) breaking out of native sod (subsection D) shall be regarded as deductions with respect to the wheat acreage allotment and the general crop acreage allotment.

In the event that corn, cotton, rice, wheat, tobacco, or general crops are not harvested in 1938 on the farm the payment, if any, with respect to the acreage allotment for such crop, or group of crops, shall be divided among the landlords, tenants, and sharecroppers in the same proportion that the county committee determines that such persons would have shared in the proceeds of such crop had such crop been harvested on the farm in 1938.

B. Payments with respect to soil-building practices. The amount of payment earned in connection with the soil-building goal for the farm shall be paid to the landlord, tenant or sharecropper who carried out the soil-building practices. If the county committee determines that more than one such person contributed to the carrying-out of soil-building practices on the farm in 1938, such payment shall be divided in the proportion that the units contributed by each such person to such practices bears to the total units of such practices carried out on the farm in 1938. Each person contributing to the practice carried out on a particular acreage shall be deemed to have contributed equally to the units of such practice unless such persons establish to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event such unit shall be divided in the proportion which the county committee determines each such person contributed thereto.

C. Proration of net deductions. If with respect to any farm the sum of the net payments computed for all persons on the farm exceeds the sum of the net deductions computed for all persons on the farm, the net deduction computed for any person on the farm shall be prorated among the other persons on the farm for whom a net payment is computed in the proportion in which the net payment computed for any person is of the sum of the net payments computed for all persons on the farm. If, with respect to any farm the sum of the net deductions computed for all persons on the farm equals or exceeds the sum of the net payments computed for all persons on the farm, no payment will be made with respect to such farm and the amount of such net deductions in excess of the net payments shall be prorated among the persons on the farm in the proportion which the net deduction computed for any person is of the sum of

the net deductions computed for all persons on the farm.

Section VII. Increase in Small Payments. The total payment computed under Section IV to VI, inclusive, for any person with respect to any farm shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
- (3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1.00 to 1.99	\$0.40	\$32.00 to \$32.99	10.40
2.00 to 2.99	0.80	33.00 to 33.99	10.60
3.00 to 3.99	1.20	34.00 to 34.99	10.80
4.00 to 4.99	1.60	35.00 to 35.99	11.00
5.00 to 5.99	2.00	36.00 to 36.99	11.20
6.00 to 6.99	2.40	37.00 to 37.99	11.40
7.00 to 7.99	2.80	38.00 to 38.99	11.60
8.00 to 8.99	3.20	39.00 to 39.99	11.80
9.00 to 9.99	3.60	40.00 to 40.99	12.00
10.00 to 10.99	4.00	41.00 to 41.99	12.10
11.00 to 11.99	4.40	42.00 to 42.99	12.20
12.00 to 12.99	4.80	43.00 to 43.99	12.30
13.00 to 13.99	5.20	44.00 to 44.99	12.40
14.00 to 14.99	5.60	45.00 to 45.99	12.50
15.00 to 15.99	6.00	46.00 to 46.99	12.60
16.00 to 16.99	6.40	47.00 to 47.99	12.70
17.00 to 17.99	6.80	48.00 to 48.99	12.80
18.00 to 18.99	7.20	49.00 to 49.99	12.90
19.00 to 19.99	7.60	50.00 to 50.99	13.00
20.00 to 20.99	8.00	51.00 to 51.99	13.10
21.00 to 21.99	8.20	52.00 to 52.99	13.20
22.00 to 22.99	8.40	53.00 to 53.99	13.30
23.00 to 23.99	8.60	54.00 to 54.99	13.40
24.00 to 24.99	8.80	55.00 to 55.99	13.50
25.00 to 25.99	9.00	56.00 to 56.99	13.60
26.00 to 26.99	9.20	57.00 to 57.99	13.70
27.00 to 27.99	9.40	58.00 to 58.99	13.80
28.00 to 28.99	9.60	59.00 to 59.99	13.90
29.00 to 29.99	9.80	60.00 to 185.99	14.00
30.00 to 30.99	10.00	186.00 to 199.99	Increase to 200.00
31.00 to 31.99	10.20	200.00 and over	No increase

Section VIII. Deductions Incurred on Other Farms.

A. Other farms in the same county. If the deductions computed under Section V with respect to any farm exceed the payment for full performance on such farm computed under Section IV, any person's share of the amount by which such deductions exceed such payments shall be deducted from such person's share of the payments which otherwise would be made to him with respect to any other farms which he operates or rents to other persons for a share of the crops produced thereon in the county.

B. Other farms in the State. If the deductions computed for any person with respect to one or more farms in a county exceed the payments computed for such person on other farms which he operates or rents to other persons for a share of the crops produced thereon in the county, the amount of such excess deductions shall be deducted from the payments computed for such person with respect to any other farms in the State, if the State committee finds that the crops grown and practices adopted on the farms with respect to which such deductions are computed are such as substantially to offset the contribution to the program made on such other farms.

Section IX. Deduction for Association Expenses. There shall be deducted pro rata from the payments with respect to any farm all or such part as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

Section X. General Provisions Relating to Payments.

A. Payment restricted to effectuation of purposes of the program. All or any part of any payment which otherwise would be made to any person under the 1938 Agricultural Conservation Program may be withheld (1) if he has adopted any practice which the Secretary determines tends to defeat any of the purposes of the program, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to forest land or woodland owned or controlled by him, he adopts any practice which the director of the North Central Division finds is contrary to sound conservation practices.

B. Payment computed and made without regard to claims. Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection D of this Section X) and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

C. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices. If on any farm in 1938 any change of the arrangements which existed on the farm in 1937 is made between the landlord and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord under the 1938 Agricultural Conservation Program than would have been made to the landlord for performance on the farm under the 1937 Agricultural Conservation Program, payments to the landlord under the 1938 Agricultural Conservation Program with respect to the farm shall not be greater than the amount that would have been paid to the landlord if the arrangements which existed on the farm in 1937 had been continued in 1938, if the county committee certifies that the change is not justified and disapproves such change.

If on any farm the number of sharecroppers or share tenants in 1938 is less than the average number on the farm during the years 1935 to 1937, inclusive, and such reduction would increase the payments that would otherwise be made to the landlord, such payments to the landlord shall not be greater than the amount that would otherwise be made, if the county committee certifies that the reduction is not justified and disapproves such reduction.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1938 Agricultural Conservation Program has employed any other scheme or device, the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such other person would normally be entitled, the Secretary may withhold in whole or in part from the person participating in or employing such a scheme or device, or require such person to refund in

whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1938 Agricultural Conservation Program.

D. Assignments. Any person who may be entitled to any payment in connection with the 1938 Agricultural Conservation Program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1938. No such assignment will be recognized unless (1) the assignment is made in writing on a form prescribed by the Agricultural Adjustment Administration and is acknowledged by the farmer before the county agricultural extension agent and filed with such agent; (2) the farmer files with the assignment an affidavit showing that the assignment is made to pay or secure an indebtedness incurred in connection with financing the making of a 1938 crop and not to pay or secure any pre-existing indebtedness; and (3) the person to whom such assignment is made certifies that the payment is being assigned without discount for such purpose.

Nothing in the provisions of this section shall be construed to give an assignee a right to any payment other than that to which the farmer is entitled nor shall the Secretary or any disbursing agent be subject to any suit or liability if payment is made to the farmer without regard to the existence of any such assignment.

E. Excess cotton acreage. Any person who has an interest in a farm on which cotton is planted in 1938 and who makes application for payment with respect to any farm, shall file with such application a statement verified by affidavit that the applicant has not knowingly planted or caused to be planted during 1938 cotton on land in any farm in which he has an interest in excess of the cotton acreage allotment established for the farm for 1938 under Section 344 of the Agricultural Adjustment Act of 1938 in connection with cotton marketing quotas, and that cotton was not planted in excess of such allotment by his authority or with his consent.

Any person who knowingly plants cotton on his farm in 1938 on acreage in excess of the cotton acreage allotment for the farm established in connection with cotton marketing quotas under Section 344 of the Agricultural Adjustment Act of 1938 and regulations issued in connection therewith shall not be eligible for any payment under the provisions of the 1938 Agricultural Conservation Program. A person shall be presumed to have knowingly planted cotton on his farms on acreage in excess of such farm cotton acreage allotment if notice of his allotment is mailed to him prior to the completion of the planting of cotton on the farm unless the farmer establishes the fact that the excess acreage planted to cotton was due to his lack of knowledge of the number of acres in the tract(s) planted to cotton. Such notice, if mailed to the operator of the farm, shall be deemed to be notice to all persons sharing in the production of cotton thereon in 1938.

F. Use of soil-conserving crops for market. No payment will be made with respect to any farm unless on such farm in 1938 an acreage, not devoted to soil-depleting crops, is withheld from the production of soil-conserving crops for market, equal to the acreage by which the normal acreage of soil-depleting crops on such farm exceeds the larger of (1) the total soil-depleting acreage allotment for the farm or (2) the acreage devoted to soil-depleting crops on the farm in 1938: Provided, That payment shall not be denied any

farmer for using such soil-conserving crops for market (1) if in the county in which the farm is located the number of cows kept for the production of milk or products thereof for market does not exceed the normal number of such cows; (2) if on such farm the number of cows kept for the production of milk or the products thereof for market does not exceed the normal number of such cows; or (3) if the Agricultural Adjustment Administration determines either (a) that the farmer has substantially complied with the provisions of this paragraph, or (b) that the county, as a whole, is in substantial compliance with such provisions.

Any farmer shall be deemed to have substantially complied with the provisions of the foregoing paragraph either (1) if the increase above normal in the number of dairy cows on his farm does not exceed two cows; or (2) if none of the soil-conserving crops to which such provisions are applicable is used for market other than through the disposition of dairy livestock for slaughter or through the disposition of less than ten percent of the milk, or products thereof, produced on the farm. A county, as a whole, shall be deemed to be in substantial compliance with such provisions if the increase above normal in the number of dairy cows in the county does not exceed ten percent.

The normal acreage of soil-depleting crops and the normal number of cows kept for the production of milk, or the products thereof, for market shall be determined for any farm in accordance with instructions issued by the Agricultural Adjustment Administration, and the Agricultural Adjustment Administration shall determine from the latest available statistics of the Department and shall announce the counties in which the number of cows kept for the production of milk, or the products thereof, for market exceeds by more than ten percent the normal number of such cows.

As used in this subsection F, the term "for market" means for disposition by sale, barter, or exchange, or by feeding (in any form) to dairy livestock which, or the products of which, are to be sold, bartered, or exchanged, and such term shall not include consumption on the farm. An agricultural commodity shall be deemed to be consumed on the farm if consumed by the farmer's family, employees, or household, or if fed to poultry or livestock other than dairy livestock on his farm, or if fed to dairy livestock on his farm and such dairy livestock, or the products thereof, are to be consumed by his family, employees, or household. As used in this subsection F, the term "soil-conserving crops" means grasses and legumes grown on cropland except those classified as soil-depleting under Section XIII hereof.

Section XI. Application for Payment.

A. Persons eligible to file applications. An application for payment with respect to a farm may be made by any person for whom, under the provisions of Section VI a share in the payment with respect to the farm may be computed and (1) who at the time of harvest is entitled to share in the crops grown on the farm under a lease or operating agreement, or (2) who is owner of such farm and participates thereon in 1938 in carrying out approved soil-building practices or in carrying out conservation measures designed to promote restoration of a permanent vegetative cover on restoration land.

B. Time and manner of filing application and information required. Payment will be made only upon application submitted through the county office.

The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within the time fixed by the director of the North Central Division. At least two weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

C. Applications for other farms. If a person has the right to receive all or a portion of the crops or proceeds therefrom, produced on more than one farm which he operates or rents to other persons for a share of the crops produced thereon in a county and makes application for payment with respect to one of such farms, such person must make application for payment with respect to all such farms. Upon request by the State committee such person shall also file with the committee such information as it may request regarding any other farm in the State with respect to which he has the right to receive all or a portion of the crops or proceeds thereof.

Section XII. Soil-Depleting Crops. Land devoted in 1938 to any of the following crops or uses or such other similar crops and uses as are designated by the Agricultural Adjustment Administration shall be classified as soil-depleting:

A. Land planted to the following crops for harvest in 1938:

1. Corn (including field corn, sweet corn, and popcorn, but excluding sown or close-drilled corn used as a cover crop or green manure crop.)
2. Tobacco.
3. Grain sorghums.
4. Cotton.
5. Sugar beets.
6. Rice.
7. Commercial mustard.
8. Hemp.
9. Broomcorn.
10. Mint.
11. Mangels and cowbeets.
12. Cultivated sunflowers.
13. Truck and vegetable crops (including strawberries, melons, and sweet potatoes) and their seeds.
14. Potatoes.
15. Bulbs and flowers.
16. Safflower.
17. Field beans.
18. Canning peas.

B. Land planted to wheat between August 1, 1937, and July 31, 1938, except:

1. When the acreage of such crop, seeded in the fall of 1937, is pastured before May 1, 1938, and thereafter sufficiently pastured or tilled to

prevent grain formation, or is tilled before May 1, 1938, in preparation for another crop or for a use other than the harvesting of the acreage of such crop for grain or hay; or

2. When the acreage of such crop is used as a green manure crop in orchards, on commercial vegetable, or potato land.

C. Land planted to oats, barley, rye, flax, emmer, speltz, or mixtures of any of these crops between August 1, 1937, and July 31, 1938, except:

1. When the acreage of such crop, seeded in the fall of 1937, is pastured before May 1, 1938, and thereafter sufficiently pastured or tilled to prevent grain formation, or is tilled before May 1, 1938, in preparation for another crop or for a use other than the harvesting of the acreage of such crop for grain or hay; or

2. When the acreage of such crop is used as a green manure crop outside of the wind erosion area; or

3. When such crop is used as a nurse crop or cover crop (including such crops used for pasture) and is not harvested for grain or hay and does not mature as grain.

D. Land planted in 1938 to buckwheat, sweet sorghums, Sudan grass, millet, or sown or close-drilled corn harvested for grain, seed, sirup, or silage.

E. Land planted in 1938 to field peas when such crop is harvested and land planted in 1938 to soybeans when such crop is harvested or matures as grain or seed, except

1. In the counties of Butler, Dunklin, Mississippi, New Madrid, Pemiscot, Ripley, Scott, and Stoddard, in Missouri, land planted in 1938 to soybeans shall be soil-depleting only when the soybeans are harvested for seed for crushing.

F. Land summer fallowed if such summer-fallowed acreage is not protected from wind and water erosion by methods recommended by the State committee and approved by the Agricultural Adjustment Administration.

The acreage of land which is devoted consecutively to two or more of the above soil-depleting crops in 1938 shall be counted as follows: If only one of such crops reaches maturity such land shall be regarded as devoted to the crop reaching maturity. If none of such crops reaches maturity or if more than one of such crops reach maturity and an individual crop acreage allotment is established for only one of such crops, such land shall be regarded as devoted to the crop for which an individual crop acreage allotment is established. If none of such crops reaches maturity and individual crop acreage allotments are established for two or more of such crops, the land shall be regarded as devoted to the last planted of such crops for which an individual crop acreage allotment is established. If two or more of such crops reach maturity and individual crop acreage allotments are established for two or more of such crops reaching maturity, the land shall be regarded as devoted to each of the crops which reached maturity and for which an individual crop acreage allotment is established. If two or more of such crops reach maturity or if none of such crops

reaches maturity and individual crop acreage allotments are not established for any of such crops, the land shall be regarded as devoted to the last planted of such crops.

The acreage of land which is devoted simultaneously to two or more of the above soil-depleting crops shall be divided among such crops on the basis of the land determined, in accordance with instructions issued by the Agricultural Adjustment Administration, to be devoted to each.

In connection with determinations regarding the maturity of crops, canning peas will be deemed to have reached maturity when such crops are harvested for canning and field corn, sweet corn, and popcorn hogged off or cut for silage, fodder or other similar uses, will be deemed to have reached maturity.

If a corn acreage allotment is established for any farm, all acreages of field corn, sweet corn, and popcorn will be regarded as corn acreage for the purpose of determining whether the corn acreage allotment for such farm has been exceeded, except (1) any acreage of sweet corn contracted to be sold for canning; (2) any acreage of sweet corn sold for canning or roasting ears; and (3) any acreage of popcorn sold as popcorn.

In order for a portion of a field (other than cropland strip-cropped, strip-fallowed or contour-farmed) not to be classified as soil-depleting such portion of the field must be in a solid block contiguous to the side or end of the field and the line between such portion and the remaining portion of the field must be straight.

Land devoted to volunteer crops harvested shall be classified as if such crops were planted.

Section XIII. Soil-Building Practices. The soil-building practices listed in the following schedule shall count toward the achievement of the soil-building goal to the extent indicated therein, when such practices are carried out in 1938 in accordance with specifications issued by the Director of the North Central Division or by the State committee with the approval of the Director of the North Central Division.

In order to count toward the achievement of the soil-building goal, all seedings of red clover and any mixtures containing red clover must be made with adapted red clover seed, and all seedings of alfalfa and any mixtures containing alfalfa on such farm must be made with adapted alfalfa seed, the origin of which must be certified by the county committee in accordance with instructions issued by the Agricultural Adjustment Administration. Red clover and alfalfa seed grown in Canada and in the following States shall be regarded as adapted: Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming. Red clover seed grown in Washington and Oregon shall be regarded as adapted if certification is made by the State Crop Improvement Association of the State in which such seed was produced that such seed was produced in such State and that such seed was produced from parent seed of Ohio red clover or Tennessee anthracnose-resistant red clover and evidence in the form of the special certification tag attached to such seed is filed with the county committee where quantities of 100 pounds or more are purchased.

Red clover and alfalfa seed grown in the following countries shall also be regarded as adapted: The counties of Alfalfa, Beaver, Cimarron, Craig, Delaware, Ellis, Garfield, Grant, Harper, Kay, Major, Hayes, Noble, Nowata, Osage, Ottawa, Pawnee, Rogers, Texas, Tulsa, Washington, Woods, and Woodward in Oklahoma.

Practices carried out with labor, seed, trees, and materials furnished entirely by any Federal or State agency other than the Agricultural Adjustment Administration shall not be counted toward the achievement of the soil-building goal. If a portion of the labor, seed, trees, or other materials used in carrying out any practice is furnished by a State or Federal agency and such portion represents one-half or more of the total cost of carrying out such practice, such practice shall not be counted toward the achievement of the soil-building goal; if such portion represents less than half of the total cost of carrying out such practice, one-half of such practice shall be counted toward the achievement of the soil-building goal.

If trees are purchased from a Clark-McNary Cooperative State Nursery, such purchases shall not be deemed to be paid for in whole or in part by a State or Federal agency.

Schedule of Soil-Building Practices

A. Each of the following practices in the amounts specified shall be counted as one unit, provided that, when the materials specified in items 1, 2, or 3 are applied to biennial or perennial legumes, perennial grasses, winter legumes, lespedeza, or crotalaria, seeded or grown in connection with

a soil-depleting crop no part of the material applied shall be counted toward achieving the soil-building goal.

1. Application of 300 pounds of 16-percent superphosphate (or its equivalent) to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, or permanent pasture.

2. Application of 200 pounds of 50 percent muriate of potash (or its equivalent) to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, or permanent pasture.

3. Application of 500 pounds of basic slag or rock phosphate to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, or permanent pasture.

4. Application of 300 pounds of gypsum containing 18-percent sulphur (or its sulphur equivalent).

5. Construction of 200 linear feet of standard terrace for which proper outlets are provided.

6. Reseeding depleted pastures with good seed of adapted pasture grasses or legumes - 10 pounds of seed.

7. Application of not less than two tons, air dry weight, of straw or equivalent mulching materials, excluding barnyard and stable manure, per acre in commercial orchards or on commercial vegetable land.

8. Application of 2000 pounds of ground limestone or its equivalent. The following quantities of other calcareous substances are deemed as being equivalent to 2,000 pounds of ground limestone: 1,400 pounds of hydrated lime; 2 cubic yards of marl, sugar beet refuse lime, calcium carbide refuse lime, water softening process refuse lime, paper mill refuse lime, or commercial wood ashes; 1/2 ton of commercial burnt lime; 4 cubic yards of calcareous clay; one ton of burnt lime waste; 1 ton of agricultural limestone meal; 2,750 pounds of limestone screenings; 3 tons of tailings from zinc mines.

9. Restoration of noncrop open pasture by hongrazing during the normal pasture season on an acreage equal to one-half of the number of acres of such pasture required to carry one animal unit for a 12-month period.

B. Each acre of the following shall be counted as one unit:

1. Seeding biennial legumes, perennial legumes, perennial grasses (other than timothy or redtop) or mixtures (other than a mixture consisting solely of timothy and redtop) containing perennial grasses, perennial legumes, or biennial legumes.

2. Seeding winter legumes, annual lespedeza, annual ryegrass, crotalaria, sesbania, or annual sweet clover.

3. Planting of rye, sweet sorghums, or Sudan grass at the normal rate of seeding for grain in the wind erosion area on land which is subject to serious wind erosion and upon which land the soil is coarser in texture than fine sandy loam, provided: (1) a good growth is obtained and such crops are not pastured or harvested for grains, seed, hay, or forage; (2) such crops are left standing until November 1, 1938; and (3) the operator's farming plan provides that such cover will not be pastured and will be left on the land until the spring of 1939.

4. Wheat, oats, barley, Sudan grass, millet, annual rye grass, buckwheat, sweet sorghums, rye, soybeans, cowpeas, field peas, or mixtures of any of such crops of which a good growth is obtained in orchards or on commercial vegetable or potato land, provided: (1) such crops are not pastured or harvested for grain, seed, hay, or forage; (2) such crops are incorporated into the soil by plowing or disking before November 1, 1938; and (3) if the land is subject to erosion there is a cover crop on such land on October 31, 1938.

C. Each acre of the following shall be counted as two units:

1. Cultivating, protecting, and maintaining, by replanting if necessary, a full stand of at least 500 trees per acre of forest plantings or 200 trees per acre of windbreak or shelterbelt plantings, planted between January 1, 1934, and January 1, 1938.

2. Improving a stand of forest trees by cutting weed trees and thinning or pruning other trees so as to leave at least 100 potential timber trees of desirable species per acre with a minimum diameter of 6 inches each, or at least 200 potential timber trees of desirable species per acre with a minimum diameter of 2 inches, well distributed over each acre of woodland, provided: (1) the county committee has approved the area on which such practice is to be carried out; and (2) such area is not grazed and is adequately protected against fire.

D. Each acre of the following shall be counted as five units:

1. Planting forest trees (including shrubs in protective plantings) provided such trees are protected and cultivated in accordance with good tree-culture practice.

2. Applying sand free from stones or loam to a depth of at least one-half inch on fruiting cranberry bogs.

E. Each two acres of the following shall be counted as one unit:

1. Seeding timothy or redtop or a mixture consisting solely of timothy and redtop.

F. Each four acres of the following shall be counted as one unit:

1. Leaving on the land as a protection against wind erosion in the wind erosion area on land which is subject to serious wind erosion and upon which land the soil is coarser in texture than fine sandy loam the stalks of

sorghums or Sudan grass, classified as soil depleting, where it is determined by the county committee that such cover is necessary as a protection against wind erosion and the operator's farming plan provides that such cover will not be pastured and will be left on the land until the spring of 1939.

2. Construction of contour furrows on noncrop open pasture land, except noncrop open pasture land that is sufficiently sandy and porous to absorb normal precipitation, provided: (1) the area contoured has an average slope not in excess of 8 percent; (2) the contour furrows are dammed sufficiently to prevent gullying; (3) the contour furrows are constructed on the contour level not less than 8 inches in width and 4 inches in depth; (4) the width between the furrows on any land with an average slope of 3 percent or less shall not exceed 25 feet; (5) the width between the furrows on any land with an average slope of more than three percent shall not exceed 25 feet less three feet for each percent by which the slope is greater than three percent.

3. Growing alternate strips of intertilled crops with sown, close drilled, or sod crops, provided: (1) such strips are approximately the same width; (2) such strips are not less than three rods nor more than 20 rods in width; (3) such strips run at right angles to the prevailing winds, or on the contour; and (4) the crop stubble is left on the land until November 1, 1938, in such a manner as will tend to prevent erosion.

4. Protecting summer-fallowed acreage from wind and water erosion in the wind erosion area by contour or basin listing, strip-cropping, or incorporating small-grain stubble and straw into the surface soil. No credit will be given for this practice on any farm when carried out on light sandy soils or on soils where destruction of the vegetative cover has resulted in the land becoming subject to serious wind erosion.

G. Each eight acres of the following shall be counted as one unit:

1. Growing intertilled crops on the contour on slopes of three percent or more on land approved by the county committee, to prevent wind or water erosion, provided: (1) the deviation of the crop rows from the true contour shall not exceed at any point a percentage equal to one-half of the percentage slope of the land, but in any case the maximum deviation shall not exceed three percent; (2) no deviation of the rows from the true contour shall be of a greater continuous distance than 60 feet; and (3) the crop stubble is left on the land or a winter cover crop is seeded on such land by November 1, 1938.

2. Contour listing or basin listing on the contour of cropland with an average slope not in excess of 8 percent, provided: (1) adjoining furrows are not less than 8 inches in width nor less than 4 inches in depth; (2) the lister furrows are dammed sufficiently to prevent gullying; and (3) such land is seeded in the fall to a cover crop or the lister ridges are left until November 1, 1938, to prevent erosion. No credit will be given for this practice when carried out on protected summer-fallowed acreage or as a part of the seeding operation.

H. Each ten acres of the following shall be counted as one unit:

1. Basin listing (not on the contour) of cropland, provided:
(1) adjoining furrows are not less than 8 inches in width nor less than 4

inches in depth; and (2) the land is seeded to a cover crop or the lister ridges are left open until November 1, 1938. No credit will be given for this practice when carried out on protected summer-fallowed acreage or as a part of the seeding operation.

Section XIV. Normal Yields and Productivity Indexes.

A. Normal Yields of special soil-depleting crops. The county committee with the assistance of other local committees in the county shall determine for each farm for which a cotton, corn, wheat, rice, tobacco, or potato acreage allotment is to be established a normal yield for each such crop in accordance with the provisions of this section and instructions issued by the Agricultural Adjustment Administration.

1. Cotton

(a) Where reliable records of the actual average yield of cotton per acre for the years 1933 to 1937, inclusive, are presented by the farmer or are available to the committee, the normal yield for the farm shall be the average of such yields adjusted in the manner provided in subsection C below, for abnormal weather conditions.

(b) If for any year of such five-year period records of the actual average yield are not available or there was no actual yield because cotton was not planted on the farm in such year, the county committee shall ascertain from all the available facts, including the yield customarily secured on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the yield which was or could reasonably have been expected on the farm for such year, and the yield so determined shall be used as the actual yield for such year under paragraph (a) of this subdivision 1.

(c) The average of all the yields so determined for all farms in a county or administrative area (weighted by cotton acreage allotments established for such farms) shall be adjusted so as to conform to the county (or administrative area) average yield established by the Secretary.

2. Corn and Wheat.

(a) Where reliable records of the actual average yield per acre of corn or wheat, as the case may be, for the years 1928 to 1937, inclusive, are presented by the farmer or are available to the committee, the normal yield for the farm shall be the average of such yields adjusted for trends and adjusted in the manner provided in subsection C below for abnormal weather conditions, and

(b) If for any year of such ten-year period reliable records of the actual average yield are not available or there was no actual yield because the commodity was not planted on the farm in such year, the county committee shall ascertain from all the available facts, including the yield customarily secured on the farm, weather conditions, type of soil, drainage, production practices and general fertility of the land the yield which was or could reasonably have been expected on the farm for such year, and the yield so determined shall be used as the actual yield for such year under paragraph (a) of this subdivision 2.

Where the productivity index most recently established for the farm in connection with the agricultural conservation programs is determined by the county committee to be an accurate reflection of the foregoing factors, the yield obtained by multiplying such index by the county average yield for such year shall be used as the actual yield for such year. If for any combination of years in such ten-year period reliable records of the actual average yield are not available or there was no actual yield during such years, the yield obtained by multiplying such index by the county average yield for such combination of years shall be the actual yield for each year of such combination of years.

(c) The average of all the yields so determined for all farms in such county (weighted respectively by the corn or wheat acreage allotments established for such farms) shall be adjusted so as to conform to the county average yield established by the Secretary.

3. Rice.

(a) Where reliable records of the actual average yield of rice per acre for the years 1933 to 1937, inclusive, are presented by the farmer or are available to the committee, the normal yield of rice for the farm shall be the average of such yields.

(b) If for any year of such five-year period records of the actual average yield are not available or there was no actual yield because rice was not planted on the farm in such year, the county committee shall ascertain from all the available facts, including the yield customarily secured on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the yield which was or could reasonably have been expected on the farm for such year, and the yield so determined shall be used as the actual yield for such year under paragraph (a) of this subdivision 3.

(c) If the average of the normal yields for all lands planted to rice in 1938 in the State (weighted by the rice acreage allotments therein) exceeds the average yield per acre for the State during the period 1933 to 1937, inclusive, established by the Secretary the normal yields for such lands, determined under paragraphs (a) and (b) of this subdivision 3, shall be reduced pro rata so that the average of such normal yields shall not exceed such State average yield.

4. Tobacco and potatoes.

(a) The normal yield of tobacco or potatoes, as the case may be, for any farms shall be the yield which may reasonably be expected from the land devoted to the production of the crops in 1938 with due consideration for type of soil, drainage, production practices, general fertility of the land and the yield of such crop customarily secured on the farm. The average yield for all farms in any county with respect to any such crop shall not exceed the county average yield for the crop established by the Secretary.

B. Productivity Indexes. The Secretary shall establish for each county a county productivity index or per-acre rate which will vary among the counties as the productivity of the cropland in the county devoted to the production of general soil-depleting crops varies as compared with the productivity of cropland in the United States devoted to the production of such crops.

A productivity index of rate per acre shall be established in accordance with instructions issued by the Agricultural Adjustment Administration for each class A farm by the county committee, subject to the approval of the State committee. Such productivity index or rate per acre shall be based upon the normal yield per acre for the farm of the major soil-depleting crop in the county as compared with the normal yield per acre for such crop in the county. Where the yield of the major soil-depleting crop in the county does not accurately reflect the productivity of a farm, the yield of a crop that reflects the productivity of the farm may be used, provided that the productivity index or rate per acre for such farm shall be adjusted, if necessary, so as to be fair and equitable as compared with the productivity indexes or rates per acre for other farms in the county having similar soils or productive capacity, and as contrasted with other farms in the county having different soils or productive capacity.

The average productivity index or per-acre rate for all farms in the county shall not exceed 100 or the county per-acre rate, respectively, unless it is determined that farms for which such indexes or rates per acre are established are not representative of all farms in the county and a variation from 100 or the county per-acre rate is approved by the Agricultural Adjustment Administration.

C. Adjustment for abnormal weather conditions.

In determining normal yields for cotton, corn, and wheat, respectively, if on account of drought, flood, insect pests, plant disease, or other uncontrollable natural causes the yield in any year of the five-year or ten-year period, as the case may be, as determined under subsection A, 1 in the case of cotton, or subsection A, 2 in the case of corn or wheat, is less than 75 percent of the average computed without regard to such year, such year shall be eliminated in calculating the normal yield per acre.

Section XV. Appeals - Any person who considers himself aggrieved by any recommendation or determination of the county committee with respect to any farm in which he has an interest may, within 15 days after notice thereof is forwarded to or available to him, request the county committee in writing to reconsider its recommendation or determination with respect to any of the following matters: (a) eligibility to file an application for payment; (b) any soil-depleting acreage allotment or soil-building goal; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person of its decision in writing within 15 days after receipt of such written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person of its decision in writing within 30 days after the receipt of the appeal. If such person is dissatisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the regional director to review the decision of the State committee.

Section XVI. Definitions. For the purposes of the 1938 Agricultural Conservation Program

SECRETARY means the Secretary of Agriculture of the United States.

DIRECTOR of the North Central Division means the director of the division of the Agricultural Adjustment Administration in charge of the 1938 Agricultural Conservation Program in the North Central Region.

NORTH CENTRAL REGION means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

STATE COMMITTEE means the group of persons designated within any State to assist in the administration of the 1938 Agricultural Conservation Program in such State.

COUNTY COMMITTEE means the group of persons elected within any county to assist in the administration of the 1938 Agricultural Conservation Program in such county.

COUNTY means the political or civil division of a State designated as a county, except that for the purposes of the 1938 Agricultural Conservation Program in the North Central Region the political or civil divisions of Polk, Ottertail, and St. Louis in Minnesota, and Pottawattamie in Iowa shall not be deemed counties. For the purposes of the 1938 Agricultural Conservation Program in the North Central Region, the townships of Badger, Brandwold, Chester, Columbia, Eden, Garden, Fairfield, Godfrey, Grove Park, Gully, Hill River, Johnson, King, Knute, Lessor, Queen, Rosebud, Sletten, Tilden, Winger, and Woodside, in the political or civil division in Minnesota known as Polk shall be a county known as East Polk County; and the remaining townships in such political or civil division in Minnesota shall be a county known as West Polk County; the townships of Blower, Bluffton, Butler, Candor, Compton, Corliss, Dead Lake, Deer Creek, Dora, Eastern, Edna, Elden, Elmo, Girard, Gorman, Henning, Hobart, Homestead, Inman, Leaf Lake, Newton, Oak Valley, Ottertail, Otto, Paddock, Parkers Prairie, Perham, Pine Lake, Rush Lake, Star Lake, and Woodside in the political or civil division in Minnesota known as Ottertail shall be a county known as East Ottertail County; and the remaining townships in such political or civil division shall be a county known as West Ottertail County; the townships of Albion, Alden, Arrowhead, Brevator, Canasia, Cedar Valley, Cotton, Dulver, Duluth, Duluth City, Elmer, Fine Lakes, Floodwood, Fredenburg, Gnesen, Grand Lake, Holden, Herman, Industrial, Kelsey, Lakewood, Meadowlands, Midway, Ness, New Independence, Normandie, Northland, Payne, Prairie Lake, Rice Lake, Solway, Stoney Brook, Troivola, Van Buren, 53-21, 53-16, and 54-15 in the political or civil division in Minnesota known as St. Louis shall be a county known as South St. Louis County; and the remaining townships in such political or civil division shall be a county known as North St. Louis County; the townships of Belknap, Carson, Center, Grove, James, Knox, Layton, Lincoln, Macedonia, Pleasant, Valley, Waveland, and Wright in the political or civil division in Iowa known as Pottawattamie shall be a county known as East Pottawattamie County; and the remaining townships in such political or civil division shall be a county known as West Pottawattamie County.

PERSON means an individual, partnership, association, corporation, estate, or trust, and, wherever applicable, a State, a political subdivision of a State, or any agency thereof.

LANDLORD means a person who owns land and rents such land to another person or operates such land.

TENANT means a person other than a landlord or a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of the proceeds of the crops) and is entitled under a written or oral lease or agreement to receive all or a share of the proceeds of the crops produced thereon.

SHARECROPPER means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or the proceeds thereof.

FARM means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

1. Any other adjacent or nearby farm land operated by the same person (as part of the same unit with respect to the rotation of crops and with work-stock, farm machinery, and labor substantially separate from that for any other land), the inclusion of which is requested or agreed to, within the time and in the manner specified by the Agricultural Adjustment Administration, by the operator and all the owners who are entitled to share in the proceeds of the crops on any of the land to be included in the farm, which request and agreement shall be applicable to the designation of the land included in such farm both under the 1938 Agricultural Conservation Program and under the provisions of the Agricultural Adjustment Act of 1938; and

2. Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitute a unit with respect to the rotation of crops:

Provided, That land not under the same ownership shall be included in the same farm only if the county committee determines that all of such land is customarily regarded in the community as constituting one farm. A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

CROPLAND means farm land which is tilled annually or in a regular rotation, excluding commercial orchards, restoration land, and any land which constitutes, or will constitute if such tillage is continued, a wind erosion hazard to the community, but including any other land which has been planted since January 1, 1930, to permanent pasture or forest trees and which was classified as cropland under the 1937 Agricultural Conservation Program, and including also land planted to non-commercial orchards other than abandoned orchards.

RESTORATION LAND means farm land, in the wind erosion area which has been cropped at least once since January 1, 1930 and which is designated by the county committee as land on which, because of its physical condition and texture and because of climatic conditions, a permanent vegetative cover should be restored.

COMMERCIAL ORCHARDS means the acreage in planted or cultivated fruit trees, nut trees, vineyards, hops, or bush fruits on the farm on January 1, 1938 (excluding non-bearing orchards and vineyards), from which the principal part of the production is normally sold.

COTTON means cotton the staple of which is normally less than 1 1/2 inches in length. American-Egyptian cotton, Sea Island cotton, and any other cotton the staple of which is normally 1 1/2 inches or more in length shall be considered as a general soil-depleting crop and not as cotton in connection with the 1938 Agricultural Conservation Program.

COMMERCIAL VEGETABLES means the acreage of vegetables or truck crops (including potatoes on farms where a potato acreage allotment is not established, sweetpotatoes, tomatoes, sweet corn, melons, cantaloupes, strawberries, and commercial bulbs and flowers, but excluding peas for canning and sweet corn for canning and artichokes for use other than as vegetables) of which the principal part of the production is sold to persons not living on the farm.

SOIL CONSERVING ACREAGE means the total acreage of cropland in any class A farm in excess of the total soil-depleting acreage allotment established for the farm.

NONCROP OPEN PASTURE means pasture land (other than rotation pasture land and range land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

COMMERCIAL CORN-PRODUCING AREA means the area included in the following counties of the States specified:

ILLINOIS: All counties.

INDIANA: All counties except Brown, Clarks, Crawford, Floyd, Harrison, Jefferson, Lawrence, Martin, Monroe, Ohio, Orange, Perry, Scott, Spencer and Switzerland.

IOWA: All counties.

MICHIGAN: Branch, Hillsdale, Lenawee, Monroe, and St. Joseph.

MINNESOTA: Big Stone, Blue Earth, Brown, Carver, Chippewa, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Grant, Houston, Jackson, Kandiyohi, Lac Qui Parle, Le Sueur, Lincoln, Lyon, McLeod, Martin, Meeker, Mower, Murray, Nicollet, Nobles, Olmsted, Pipestone, Redwood, Renville, Rice, Rock, Scott, Sibley, Steele, Stevens, Swift, Traverse, Wabasha, Waseca, Watonwan, Winona, Wright, Yellow Medicine.

MISSOURI: Adair, Andrew, Atchison, Audrain, Barton, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Cape Girardeau, Carroll, Cass, Chariton, Clark, Clay, Clinton, Cooper, Daviess, De Kalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Jackson, Johnson, Knox, Lafayette, Lewis, Lincoln, Linn, Livingston, Macon, Marion, Mercer, Mississippi, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Pemiscott, Perry Pettis, Pike, Platte, Putnam, Ralls, Randolph, Ray, St. Charles, St. Clair, Saline, Schuyler, Scotland, Scott, Shelby, Stoddard, Vernon, Worth.

NEBRASKA: All counties except Arthur, Banner, Blaine, Box Butte, Brown, Chase, Cherry, Cheyenne, Dawes, Deuel, Garden, Garfield, Grant, Holt, Hooker, Keith, Keyapaha, Kimball, Lincoln, Logan, Loup, McPherson, Morrill, Rock, Scotts Bluff, Sheridan, Sioux, Thomas, and Wheeler.

OHIO: All counties except Ashtabula, Athens, Belmont, Carroll, Columbiana, Cuyahoga, Gallia, Geauga, Guernsey, Harrison, Hocking, Jackson, Jefferson, Lake, Lawrence, Lorain, Mahoning, Medina, Meigs, Monroe, Morgan, Muskingum, Noble, Portage, Stark, Summit, Trumbull, Tuscarawas, Vinton, Washington, Wayne.

SOUTH DAKOTA: Bon Homme, Brookings, Charles Mix, Clay, Davison, Douglas, Hanson, Hutchinson, Kingsbury, Lake, Lincoln, McCook, Minnehaha, Moody, Turner, Union, and Yankton.

WISCONSIN: Dane, Grant, Green, Iowa, Lafayette, Rock.

COMMERCIAL POTATO-PRODUCING AREA means the area included in the following counties of the States specified:

INDIANA: Allen, Carroll, Cass, Clark, DeKalb, Elkhart, Floyd, Fulton, Harrison, Howard, Huntington, Jasper, Kosciusko, Lagrange, Lake, La Porte, Marshall, Miami, Noble, Perry, Porter, Pulaski, Randolph, St. Joseph, Spencer, Starke, Steuben, Wabash, and Whitley.

MICHIGAN: All counties.

MINNESOTA: Aitkin, Anoka, Becker, Beltrami, Benton, Blue Earth, Carlton, Cass, Chisago, Clay, Clearwater, Crow Wing, Dakota, Dodge, Douglas, Faribault, Fillmore, Freeborn, Goodhue, Hennepin, Houston, Hubbard, Isanti, Itasca, Kanabec, Kittson, Koochiching, Lake of the Woods, Mahnomon, Marshall, Martin, Mille Lacs, Morrison, Mower, Nobles, Norman, Olmsted, Ottertail, Pennington, Pine, Polk, Ramsey, Red Lake, Rock, Roseau, St. Louis, Sherburne, Stearns, Steele, Todd, Wabasha, Wadena, Waseca, Washington, Wilkin, Winona, and Wright.

MISSOURI: Clay, Jackson, Ray and St. Louis.

NEBRASKA: Banner, Box Butte, Buffalo, Cherry, Cheyenne, Dakota, Dawes, Dawson, Garden, Kimball, Morrill, Scotts Bluff, Sheridan, and Sioux.

OHIO: Allen, Ashland, Ashtabula, Auglaize, Carroll, Champaign, Clark, Columbiana, Coshocton, Crawford, Cuyahoga, Darke, Defiance, Erie, Fulton, Geauga, Hamilton, Hancock, Hardin, Henry, Holmes, Huron, Knox, Lake, Licking, Logan, Lorain, Lucas, Mahoning, Medina, Meigs, Miami, Montgomery, Morrow, Muskingum, Portage, Putnam, Richland, Sandusky, Scioto, Seneca, Stark, Summit, Trumbull, Tuscarawas, Van Wert, Washington, Wayne, Williams, and Wood.

SOUTH DAKOTA: Brookings, Butte, Codington, Deuel, Hamlin, and Minnehaha.

WISCONSIN: All counties.

WIND EROSION AREA means the area included in the following counties of the States specified:

NEBRASKA: All counties except Burt, Butler, Cass, Cedar, Clay, Colfax, Cumming, Dakota, Dixon, Dodge, Douglas, Fillmore, Gage, Hamilton, Jefferson, Johnson, Knox, Lancaster, Nemaha, Nuckolls, Otoe, Pawnee, Platte, Polk, Richardson, Saline, Sarpy, Saunders, Seward, Stanton, Thayer, Thurston, Washington, Wayne, York.

SOUTH DAKOTA: All counties except: Bon Homme, Brookings, Clay, Codington, Deuel, Grant, Hamlin, Hanson, Hutchinson, Lake, Lincoln, McCook, Miner, Minnehaha, Roberts, Turner, Union, and Yankton.

GENERAL SOIL-DEPLETING CROPS means all soil-depleting crops other than sugar beets and those for which individual crop acreage allotments are established on the farm.

ANIMAL UNIT means one cow, one horse, five sheep, or five goats, two calves, or two colts, or the equivalent thereof.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
WASHINGTON, D. C.

**1938 AGRICULTURAL CONSERVATION PROGRAM—
NORTH CENTRAL REGION**

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Pursuant to the provisions of the 1938 Agricultural Conservation Program Bulletin, as amended February 19, 1938 (ACP-1938-3), March 24, 1938 (ACP-1938-4), March 21, 1938 (ACP-1938-5), April 8, 1938 (ACP-1938-6), April 13, 1938 (ACP-1938-7), April 16, 1938 (ACP-1938-8), April 28, 1938 (ACP-1938-10), May 25, 1938 (ACP-1938-11), July 11, 1938 (ACP-1938-12), issued by the Secretary of Agriculture, and the authority vested thereby in the Agricultural Adjustment Administration, payments will be made for participation in the North Central Region in the 1938 Agricultural Conservation Program in accordance with the provisions of this North Central Region Bulletin 201 (NCR-201) and such modifications thereof or other provisions as may hereafter be made. This North Central Region Bulletin includes all the provisions of said 1938 Agricultural Conservation Program Bulletin which are applicable to the North Central Region, together with certain of the determinations authorized therein to be made by the Agricultural Adjustment Administration or the Director of the North Central Division.

The provisions of the 1938 Agricultural Conservation Program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments herein provided are contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation, the apportionment of such appropriation under the provisions of the Soil Conservation and Domestic Allotment Act as amended, and the extent of national participation. Under the provisions of section 105 of the Agricultural Adjustment Act of 1938, as amended, payments under the 1938 Agricultural Conservation Program, based on soil-depleting crops for which special acreage allotments are established shall be made at not less than 90 percent of the rates specified in the 1938 Agricultural Conservation Program Bulletin (ACP-1938) approved October 23, 1937. The rates specified herein with respect to potatoes and dark air-cured tobacco are 90 percent of the rates approved for these commodities on October 23, 1937, and, therefore, will not be decreased. As an adjustment for participation the rates of payment and deduction with respect to each other commodity or item of payment may be decreased, and the rates of payment and deduction with respect to any commodity or item of payment may be increased, by as much as 10 percent.

The provisions of the 1938 Agricultural Conservation Program contained in this bulletin are not applicable in the North Central Region to (1) Licking County, Ohio, and Tama County, Iowa; and (2) public domain of the United States, including land owned by the United States and administered under the Taylor Grazing Act or by the Forest Service of the United States Department of Agriculture, and other lands in which the beneficial ownership is in the United States.

SECTION I. NATIONAL AND STATE ACREAGE ALLOTMENTS AND GOALS

A. NATIONAL GOALS

The national goals in connection with the 1938 Agricultural Conservation Program shall be as follows:

1. The following acreages of soil-depleting crops:

	<i>Acres</i>	
Cotton-----	27, 000, 000-	29, 000, 000
Corn-----	94, 000, 000-	97, 000, 000
Tobacco:		
Flue-cured-----	850, 000-	875, 000
Burley-----	440, 000-	460, 000
Fire-cured and dark air-cured-----	170, 000-	180, 000
Cigar filler and binder-----	85, 000-	90, 000
Georgia-Florida Type 62-----	2, 800-	3, 000
Potatoes-----	3, 100, 000-	3, 300, 000
Peanuts-----	1, 500, 000-	1, 600, 000
Rice-----	825, 000-	875, 000
Total soil-depleting crops-----	275, 000, 000-	290, 000, 000

2. The seeding and maintenance of soil-conserving crops on the cropland not required in 1938 for the growing of soil-depleting crops, the restoration, insofar as is practicable, of a permanent vegetative cover on 6,000,000 acres of land unsuited to the continued production of cultivated crops; and the carrying out of soil-building practices that will preserve and improve soil fertility and prevent wind and water erosion.

B. NATIONAL AND STATE ACREAGE ALLOTMENTS AND RESTORATION LAND GOALS

National acreage allotments for cotton, tobacco, and potatoes will be determined by the Secretary. National acreage allotments of corn, wheat, and rice, and restoration land goals and State acreage allotments of corn, wheat, and rice, and restoration land goals in the North Central Region have been determined and are as follows:

1. National acreage allotments.

- (a) Corn in the commercial corn-producing area—40,491,279 acres.
- (b) Wheat—62,500,000 acres.
- (c) Rice—850,000 acres.

2. National restoration land goal.—6,000,000 acres.

3. State acreage allotments of soil-depleting crops.

- (a) The State acreage allotments of corn in the commercial corn-producing area are as follows:

	<i>Acres</i>
Illinois-----	7, 348, 375
Indiana-----	3, 456, 203
Iowa-----	9, 249, 232
Michigan-----	223, 790
Minnesota-----	3, 319, 794
Missouri-----	3, 267, 079
Nebraska-----	6, 757, 334
Ohio-----	2, 521, 771
South Dakota-----	1, 635, 790
Wisconsin-----	452, 809

(b) The State acreage allotments of wheat are as follows:

	<i>Acres</i>
Illinois.....	2, 039, 411
Indiana.....	1, 689, 970
Iowa.....	456, 037
Michigan.....	765, 831
Minnesota.....	1, 609, 218
Missouri.....	1, 938, 353
Nebraska.....	3, 466, 075
Ohio.....	1, 870, 407
South Dakota.....	3, 345, 403
Wisconsin.....	108, 001

(c) The State acreage allotments of rice are as follows:

	<i>Acres</i>
Missouri.....	510

4. **State restoration land goals.**—The State restoration land goals are as follows:

	<i>Acres</i>
Nebraska.....	425, 000
South Dakota.....	550, 000

SECTION II. COUNTY ACREAGE ALLOTMENTS AND GOALS

A. COUNTY ACREAGE ALLOTMENTS OF SOIL-DEPLETING CROPS

The Agricultural Adjustment Administration with the assistance of State committees, shall establish county acreage allotments for total soil-depleting crops, and for cotton, corn, wheat, tobacco, and potatoes, and goals for restoration land as hereinafter set forth. The soil-depleting acreage allotments for all counties in each State shall not exceed the applicable acreage allotment established for the State by the Secretary except as otherwise provided in this bulletin.

1. **Total soil-depleting acreage allotments.**—County acreage allotments of total soil-depleting crops shall be established by distributing the State acreage allotment of total soil-depleting crops among the counties in the State on the basis of the average acreage of soil-depleting crops grown in such counties in whichever of the periods of five or more consecutive years since 1927 the Agricultural Adjustment Administration finds is most representative of normal conditions and the base acreages of total soil-depleting crops established in connection with the 1937 Agricultural Conservation Program, adjusted where necessary for farms for which provision was not made in 1937, with due allowance for trends in acreage of soil-depleting crops, and the relationship of the usual acreage of individual soil-depleting crops to the 1938 acreage allotments in counties where allotments for individual soil-depleting crops are established.

2. **Cotton acreage allotments.**—(a) County acreage allotments for cotton shall be determined as follows: The State acreage allotment of cotton (less 2 percent or such smaller part thereof as the Agricultural Adjustment Administration determines shall be required in the State in making allotments to farms on which cotton will be planted in 1938 but on which cotton was not planted in any of the years 1935, 1936, and 1937) shall be prorated among the counties in the State on the basis of the acreage planted to cotton during the 5 years, 1933 to 1937, inclusive, plus, in the applicable years, the acreage diverted from the production of cotton under agricultural

adjustment and conservation programs, *provided*, that there shall be added to the acreage allotment for each county so determined the number of acres, if any, required to provide an acreage allotment in such county of not less than 60 percent of the sum of (1) the acreage planted to cotton in such county in 1937, and (2) the acreage therein diverted from the production of cotton in 1937 under the agricultural conservation program.

(b) In any county where the Agricultural Adjustment Administration finds that there are one or more administrative areas which, because of differences in types, kinds, and productivity of the soil or other conditions, shall be treated separately in order to prevent discrimination, the county acreage allotment shall be apportioned pro rata among such administrative areas on the basis of the acreage planted to cotton in 1937 plus the acreage diverted from the production of cotton under the 1937 Agricultural Conservation Program, or, if the Agricultural Adjustment Administration determines that conditions affecting the acreage planted to cotton were not reasonably uniform throughout the county in 1937, then on the basis of the cotton soil-depleting base acreages established under the 1937 Agricultural Conservation Program. Allotments to the farms within each such administrative area shall be made by distributing the allotment for such administrative area in the manner provided in section III for the apportionment of cotton county acreage allotments among farms.

3. Corn acreage allotments.—County acreage allotments of corn for counties in the commercial corn-producing area shall be established by distributing the State acreage allotment of corn among such counties in such State pro rata on the basis of the acreage of corn seeded for the production of corn in such counties during the 10 years, 1928 to 1937, inclusive, plus, in applicable years, the acreage diverted under agricultural adjustment and conservation programs. If, on account of abnormal weather conditions, the acreage seeded to corn in a county in any year of such 10-year period was less than 50 percent or more than 150 percent of the average for the other 9 years, such year shall be eliminated in calculating the average acreage seeded to corn for such county. The average acreage seeded in any county so determined shall be adjusted for trends in acreage by giving due consideration to the average annual increase or decrease in the acreage seeded to corn in the county as indicated by the acreage seeded to corn and diverted from the production of corn under agricultural adjustment and conservation programs during the last 5 years of the period 1928 to 1937, inclusive, as compared with the acreage seeded to corn during the first 5 years of such period.

4. Wheat acreage allotments.—County acreage allotments of wheat shall be established by distributing the State acreage allotment of wheat among the counties in such State pro rata on the basis of the acreage of wheat seeded for the production of wheat during the 10 years, 1928 to 1937, inclusive, plus in applicable years the acreage diverted under agricultural adjustment and conservation programs. If, on account of abnormal weather conditions, the acreage seeded for the production of wheat in a county in any year of such 10-year period was less than 50 percent or more than 150 percent of the average computed for the other 9 years, such year shall

be eliminated in calculating the average acreage seeded for the production of wheat in such county. The average acreage seeded in any county for the production of wheat so determined shall be adjusted for trends in acreage by giving equal weight to the acreages seeded for the production of wheat and the acreages diverted from the production of wheat during the years 1935, 1936, and 1937, and to the acreages so seeded and diverted during the 10-year period 1928 to 1937, inclusive, as adjusted for abnormal weather conditions.

5. Tobacco acreage allotments.—County acreage allotments for each kind of tobacco shall be established by distributing the State acreage allotment of such kind of tobacco among the counties in the State on the basis of the base acreages of such kind of tobacco established for such counties under the 1937 Agricultural Conservation Program, taking into consideration allotments for small farms, trends in acreage, seed bed, and other plant diseases.

6. Potato acreage allotments.—County acreage allotments of potatoes for counties in the early and late commercial potato-producing areas shall be established by distributing the State acreage allotment of potatoes among such counties in such State pro rata on the basis of the average acreage devoted to potatoes in such counties during the years 1933 to 1937, inclusive, taking into consideration trends in acreage on commercial potato-producing farms as reflected by the acreage planted to potatoes in 1937, as compared with the average acreage planted during such 5-year period and also taking into consideration the acreage of potatoes on noncommercial potato-producing farms.

B. COUNTY RESTORATION LAND GOALS

County goals for restoration land shall be established by distributing the applicable State restoration land goal among the counties in the wind erosion area on the basis of the amount of land in such counties which was cropped at least once since January 1, 1930, but on which, because of its physical condition and texture and because of climatic conditions, a permanent vegetative cover should be restored.

C. COUNTY SOIL-BUILDING GOALS

Insofar as practicable, county goals shall be established for particular soil-building practices which are not routine farming practices and which are most needed in the county in order to preserve and improve soil fertility and to prevent wind and water erosion.

SECTION III. FARM ACREAGE ALLOTMENTS AND GOALS

The county committee, with the assistance of other local committees in the county, shall determine acreage allotments, restoration land goals, and soil-building practice goals, in accordance with provisions contained herein and instructions issued by the Agricultural Adjustment Administration. The soil-depleting acreage allotments determined for the farms in a county shall not exceed the applicable county acreage allotments established for the county by the Agricultural Ad-

justment Administration, and the sum of the acreage allotments for farms furnishing required forms and information shall not exceed their proportionate share of the county acreage allotments.

A. SOIL-DEPLETING ACREAGE ALLOTMENTS

1. Total soil-depleting acreage allotment.—The total soil-depleting acreage allotment for any farm shall be established on the basis of good soil management, tillable acreage on the farm, type of soil, topography, degree of erosion, the acreage of all soil-depleting crops customarily grown on the farm, taking into consideration allotments established for individual soil-depleting crops. The total soil-depleting acreage allotment for any farm shall be comparable with the allotments determined for other farms in the same community which are similar with respect to such factors.

2. Cotton allotment.—(a) County cotton acreage allotments shall be apportioned among the farms in the county on which cotton was planted in any one of the years 1935, 1936, and 1937, in a manner that will result in a cotton acreage allotment for each such farm which is a percentage (which shall be the same percentage for all farms in the county or administrative area) of the land in the farm in 1937 which was tilled annually or in regular rotation exclusive of the acres of such land normally devoted to the production of wheat, tobacco, or rice for market, or wheat or rice for feeding to livestock for market except that—

(1) For any such farm with respect to which the highest acreage planted to cotton and diverted from the production of cotton in any one of the 3 years 1935, 1936, and 1937, is 5 acres or less, the cotton acreage allotment for the farm shall be such highest number of acres if the county cotton acreage allotment is sufficient therefor;

(2) For any such farm with respect to which the highest number of acres planted to cotton and diverted from the production of cotton in any one of the 3 years 1935, 1936, and 1937, is more than 5 acres, the allotment for the farm shall be not less than 5 acres if the county cotton acreage allotment is sufficient therefor;

(3) Notwithstanding the foregoing provisions of this paragraph (a), a number of acres equal to not more than 3 percent of the county acreage allotment in excess of the allotments made to farms on which the highest number of acres planted to cotton plus the acres diverted from the production of cotton in any of the years 1935, 1936, and 1937, was 5 acres or less and the number of acres required for allotments of 5 acres for each other farm in the county on which cotton was planted in 1935, 1936, or 1937 may be apportioned among farms in the county on which cotton was planted in 1935, 1936, or 1937, and for which the allotment otherwise provided is 5 acres or more but less than 15 acres and less than the highest number of acres planted to cotton and diverted from the production of cotton in any one of the years 1935, 1936, and 1937.

In making such allotments under clause (3) in the preceding sentence consideration shall be given to the land, labor, and equipment

available for the production of cotton, crop rotation practices, and the soil and other facilities affecting the production of cotton, and such increases shall not be such as to increase the allotment to any farm above 15 acres. In no event shall the allotment for any farm under this paragraph (a) exceed the highest number of acres planted to cotton and diverted from the production of cotton in any one of the 3 years 1935, 1936, and 1937.

(b) In case the county allotment is insufficient to provide allotments to farms in the county which are determined under instructions issued by the Agricultural Adjustment Administration, to be adequate and representative in view of their past production of cotton and their tilled land, there shall be apportioned to such farms, under instructions issued by the Agricultural Adjustment Administration, such part of a State reserve equal to 4 percent of the State acreage allotment as is necessary to give such farms allotments in conformity with paragraph (a) which are as nearly adequate and representative as such 4 percent reserve will permit. Such additional allotment shall be used first to increase allotments to farms under clauses (1) and (2) of paragraph (a).

(c) Notwithstanding the provision of paragraph (a) above the cotton acreage allotment for any farm shall be increased by such amount as may be necessary to provide an allotment of not less than 50 percent of the sum of the acreage as determined by the county committee to have been planted in cotton in 1937 and the acreage diverted from cotton production in 1937 under the agricultural conservation program provided that the cotton acreage allotment for any farm shall not be increased under this paragraph to more than 40 percent of the acreage on such farm which is tilled annually or in regular rotation.

(d) That portion of the State acreage allotment not apportioned among the counties under section II, subsection A, paragraph 2 (a), hereof shall be apportioned to farms in the State on which cotton will be planted in 1938 but on which cotton was not planted in any of the years 1935, 1936, and 1937, so as to result in comparable allotments to farms similar with respect to land, labor, and equipment available for the production of cotton, crop rotation practices, and the soil and other physical facilities affecting the production of cotton. The county committee shall report, through the State committee, to the Agricultural Adjustment Administration the acreage required for the allotments to such farms in the county together with such substantiating data as may be required by the Agricultural Adjustment Administration, and the Agricultural Adjustment Administration shall allot to the county the proportion of that part of the State acreage allotment reserved for this purpose which it finds reasonable on the basis of the data so reported.

3. Corn allotments.—Acreage allotments of corn shall be determined for farms in the commercial corn-producing area on the basis of tillable acreage, crop rotation practices, type of soil, and topography. The allotment for any farm shall be comparable to the allotments recommended for other farms in the same community which are similar with respect to such factors.

4. Wheat allotment.—Acreage allotments of wheat shall be determined for farms on which wheat has been seeded for harvest in one or more of the years 1935, 1936, and 1937, on the basis of tillable

acreage, crop rotation practices, type of soil, and topography. Not more than 3 percent of the county wheat acreage allotment shall be apportioned to farms in such county on which wheat was not seeded for harvest in any one of the 3 years 1935, 1936, and 1937, on the basis of tillable acreage, crop rotation practices, type of soil, and topography. The wheat acreage allotment for any farm shall be comparable with the allotment determined for other farms in the same community which are similar with respect to such factors.

5. Tobacco allotment.—Acreage allotments for each kind of tobacco shall be determined on the basis of past acreage of each kind of tobacco with due allowance for the effects of abnormal weather conditions and plant-bed and other diseases; land, labor, and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco. The tobacco acreage allotment for any farm on which tobacco was grown in one or more of the years 1934 to 1937, inclusive, shall be comparable with the allotments for other farms in the same community which are similar with respect to such factors; *provided*, that in the case of Burley and dark air-cured tobacco, special consideration shall be given to farms for which acreage allotments are small. The allotment for any farm on which tobacco is to be produced in 1938 for the first time since 1933 shall not exceed 75 percent of the allotment for other farms in the same community on which tobacco was produced since 1933 which are similar with respect to land, labor, and equipment available for the production of tobacco, crop rotation practices, and the soil and other physical factors affecting the production of tobacco.

6. Potato allotment.—In counties included in the early and late commercial potato-producing areas allotments shall be determined for each farm normally producing potatoes excluding farms on which the acreage normally planted to potatoes for market is determined to be less than three acres. No potato acreage allotment shall be less than three acres. Potato acreage allotments shall be established on the basis of good soil management, tillable acreage on the farm, type of soil, topography, degree of erosion, production facilities, and the acreage of potatoes customarily grown on the farm. The potato acreage allotment for any farm shall be comparable with the allotments for other farms in the same community which are similar with respect to such factors.

7. Rice allotments.—(a) A rice-acreage allotment shall be determined for each farm on which rice is grown in 1938 on the basis of the rice acreage apportioned to the persons participating in the production of rice on such farm in 1938 and allocated by them to such farm, the acreage on the farm suited to rice production and for which water is readily available, and the acreage of rice customarily grown by such persons. The rice-acreage allotment for any farm shall be comparable with the allotments for other farms in the same community which are similar with respect to such factors.

(b) The State rice-acreage allotment (less 1 percent or such smaller part thereof as the Agricultural Adjustment Administration determines shall be required in the State for apportionment as provided in paragraph (c) below) shall be apportioned by the State committee, in accordance with instructions issued by the Agricultural Adjustment Administration, among the persons in the State who are par-

ticipating in the production of rice in 1938 on the basis of their production of rice during the years 1933 to 1937, inclusive; land, labor, equipment, and water available for the production of rice; crop rotation practices, soil fertility, and other physical factors affecting the production of rice.

(c) That portion of the State rice acreage allotment not apportioned among farms pursuant to paragraph (b) above, shall be apportioned by the State committee, in accordance with instructions issued by the Agricultural Adjustment Administration, among the persons in the State who are participating in the production of rice in 1938 but who did not participate in the production of rice in any one of the years 1933 to 1937, inclusive, on the basis of land, labor, equipment, and water available for the production of rice; crop rotation practices, soil fertility, and other physical factors affecting the production of rice.

B. RESTORATION LAND AND SOIL-BUILDING GOALS

1. **Restoration land goal.**—Restoration land goals shall be determined on the basis of the land on the farm which has been cropped at least once since January 1, 1930 but on which, because of its physical condition and texture and because of climatic conditions, a permanent vegetative cover should be restored.

2. **Soil-building goal.**—The soil-building goal for any farm shall be the number of units of soil-building practices equal to two-thirds of the number of dollars computed for the farm under section IV, subsection C, with respect to the soil-conserving acreage, the commercial vegetable acreage, commercial orchards, and noncrop pasture land. The goal so established shall represent the number of units of applicable practices to be carried out on the farm. Insofar as practicable, the county committee shall determine for individual farms practices to be followed in meeting the goal which are not routine farming practices on the farm but which are needed on the farm in order to preserve and improve soil fertility and prevent wind and water erosion, and which will tend to accomplish the goals, if any, established for the county with respect to particular soil-building practices.

C. POSTING OF ACREAGE ALLOTMENTS

All acreage allotments established for farms in a county shall be posted or kept freely available for public inspection in the office of the county committee or county agricultural extension agent.

SECTION IV. PAYMENT FOR FULL PERFORMANCE

Payment will be made with respect to any farm for not exceeding soil-depleting acreage allotments, and for achieving soil-building and restoration land goals in an amount which shall be the sum of the following:

A. SOIL-DEPLETING ACREAGE ALLOTMENTS

1. **Cotton.**—2.4 cents per pound of the normal yield per acre of cotton for the farm for each acre in the cotton acreage allotment; or, if the acreage planted to cotton is less than 80 percent of the cotton acreage allotment and the county committee finds that the failure to plant 80 percent of such cotton acreage allotment was not due to flood

or drought, for 125 percent of the acreage planted to cotton. The acreage planted to cotton shall be deemed to be that acreage which is seeded to cotton classified as soil depleting, and also, for the purposes of this provision, that acreage seeded to cotton which is seriously damaged or destroyed by flood, drought, hail, insects, or other uncontrollable natural causes but is not classified as soil depleting.

2. **Corn.**—10 cents per bushel of the normal yield per acre of corn for the farm for each acre in the corn acreage allotment; or, if the acreage planted to corn is less than 80 percent of the corn acreage allotment and the county committee finds that the failure to plant 80 percent of such corn acreage allotment was not due to flood or drought, for 125 percent of the acreage planted to corn. The acreage planted to corn shall be deemed to be that acreage which is seeded to corn classified as soil depleting (excluding (1) any acreage of sweet corn contracted to be sold for canning; (2) any acreage of sweet corn sold for canning or roasting ears; (3) any acreage of sweet corn to be sold or used as seed; and (4) any acreage of popcorn sold as popcorn or to be sold or used as seed).

3. **Wheat.**—12 cents per bushel of the normal yield per acre of wheat for the farm for each acre in the wheat acreage allotment; or, if the acreage planted to wheat is less than 80 percent of the wheat acreage allotment and the county committee finds that the failure to plant 80 percent of such wheat acreage allotment was not due to flood or drought, for 125 percent of the acreage planted to wheat. The acreage planted to wheat shall be deemed to be that acreage which is seeded to wheat classified as soil-depleting under subsection B of section XII.

4. **Tobacco.**—The following number of cents per pound of the normal yield per acre of tobacco for the farm for each acre in the tobacco acreage allotment for each of the following kinds of tobacco:

	<i>Cents</i>
(a) Burley -----	0. 5
(b) Dark air-cured-----	1. 53
(c) Cigar filler and binder-----	1. 0

Provided, That in the case of cigar filler and binder tobacco, if the acreage planted to such kind of tobacco is less than 80 percent of the acreage allotment therefor and the county committee finds that the failure to plant 80 percent of the acreage allotment was not due to flood, drought, or plant-bed diseases, the payment shall be computed on 125 percent of the acreage planted to cigar filler and binder tobacco.

5. **Potatoes.**—In the early commercial potato-producing area, 5.4 cents, and in the late commercial potato-producing area, 3.6 cents per bushel of the normal yield of potatoes for the farm for each acre of potatoes planted on the farm in 1938 not in excess of the potato acreage allotment. The acreage planted to potatoes shall be deemed to be that acreage which is seeded to potatoes.

6. **Rice.**—0.125 of a cent per pound of the normal yield per acre of rice for the farm for each acre in the rice acreage allotment, or if the acreage planted to rice is less than 80 percent of the rice acreage allotment and the county committee finds that failure to plant 80 percent of such rice acreage allotment was not due to flood or drought, for 125 percent of the acreage planted to rice. The acreage planted to rice shall be deemed to be that acreage which is seeded to rice.

7. **General soil-depleting crops.**—\$1.25 per acre, adjusted for

productivity, for each acre in the total soil-depleting acreage allotment established for the farm in excess of the sum of (1) the acreages used in computing payments with respect to the corn, wheat, potato, rice, and cigar filler and binder tobacco acreage allotments established for the farm; (2) $1\frac{1}{4}$ times the acreages used in computing payments with respect to the cotton, Burley tobacco, and dark air-cured tobacco acreage allotments established for the farm; and (3) the acreage of sugar beets planted on the farm in 1938.

B. RESTORATION LAND GOALS

(1) 50 cents per acre for each acre in the restoration land goal established for the farm.

C. PAYMENTS IN CONNECTION WITH SOIL-BUILDING PRACTICES

(1) 50 cents per acre of cropland in the farm in excess of the total soil-depleting acreage allotment for the farm.

(2) \$1.50 per acre of the average acreage of land on which commercial vegetables were grown on the farm in 1936 and 1937.

(3) \$2 per acre of commercial orchards on the farm January 1, 1938.

(4) 2 cents per acre of noncrop open pasture land in the farm, plus \$1 for each animal unit of grazing capacity (on a 12-month basis) of such pasture.

SECTION V. PAYMENTS FOR PARTIAL PERFORMANCE

Payments computed for any farm under the provisions of section IV shall be subject to all the following deductions which are applicable to the farm.

A. DEDUCTIONS FOR EXCESS ACREAGES OF SOIL-DEPLETING CROPS

1. **Cotton.**—5 cents per pound of the normal yield for the farm for each acre of cotton in excess of the cotton acreage allotment.

2. **Corn.**—5 times the payment rate specified in section IV for the normal yield for the farm on the acreage by which the corn acreage exceeds the corn acreage allotment.

3. **Tobacco and potatoes.**—(a) 5 times the payment rate specified in section IV for the normal yield for the farm on the acreages by which the dark air-cured tobacco acreage exceeds the acreage allotment for such type of tobacco.

(b) 10 times the payment rate specified in section IV for the normal yield for the farm on the acreages by which the acreages of Burley tobacco, cigar filler and binder tobacco and potatoes exceed the respective acreage allotments established for such crops, and on farms for which potato acreage allotments are not established in designated commercial areas on each acre by which the acreage of potatoes for market exceeds three acres.

4. **Rice.**—8 times the payment rate specified in section IV for the normal yield for the farm on the acreage by which the rice acreage exceeds the rice acreage allotment.

5. **Total soil-depleting acreage allotments.**—The following applicable rate for each acre of land classified as soil-depleting in excess of the total soil-depleting acreage allotment, less the acreages for

which deductions are made under items 1 to 4, inclusive, of this subsection A:

(a) 5 times the rate of payment with respect to the wheat acreage allotment if a payment is computed for the farm under section IV with respect to a wheat acreage allotment.

(b) 5 times the rate of payment with respect to general soil-depleting crops if no payment is computed for the farm under section IV with respect to a wheat acreage allotment.

B. DEDUCTIONS FOR FAILURE TO CARRY OUT SOIL-BUILDING PRACTICES AND CONSERVATION MEASURES

(1) \$1.50 for each unit by which the soil-building goal is not reached.

(2) \$1 for each acre of restoration land on which there are not carried out in 1938 conservation measures specified by the county committee in accordance with instructions issued by the Agricultural Adjustment Administration.

C. DEDUCTION FOR FAILURE TO PREVENT WIND AND WATER EROSION

\$1 for each acre of land, other than restoration land, in the wind erosion area with respect to which there are not adopted in 1938 methods recommended by the State committee and approved by the Agricultural Adjustment Administration for the prevention of wind or water erosion.

D. DEDUCTION FOR BREAKING OUT OF NATIVE SOD

\$3 for each acre of native sod or any other land which has been cropped but is not classified as cropland or pasture land which, in the wind erosion area, is broken out during the period November 1, 1937, to October 31, 1938, inclusive, unless the breaking out of such land is approved by the county committee as a good farming practice and an equal acreage of cropland on the same farm is restored to permanent vegetative cover, such acreage of cropland to be in addition to that designated as restoration land.

SECTION VI. DIVISION OF PAYMENTS AND DEDUCTIONS

A. PAYMENTS AND DEDUCTIONS IN CONNECTION WITH ACREAGE ALLOTMENTS AND RESTORATION LAND GOALS

The net payment or net deduction computed for any farm with respect to the corn, cotton, rice, wheat, tobacco, or potato acreage allotment, or general soil-depleting crops shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares) that such persons are entitled, at the time the crop is harvested, to share in the proceeds (other than a fixed commodity payment) of the corn, cotton, rice, wheat, tobacco, potatoes, or general crops, respectively, grown on the farm in 1938.

The net payment or net deduction computed for any farm with respect to the restoration land goal shall be divided in the same pro-

portion that any payment with respect to the wheat acreage allotment for such farm is divided among landlords, tenants, and sharecroppers, provided that if no payment is computed with respect to a wheat-acreage allotment for such farm, the net payment or net deduction with respect to the restoration land goal shall be divided in the same proportion that any payment in connection with general soil-depleting crops for such farm is, or would be, divided among landlords, tenants, and sharecroppers. In the event that restoration land is designated for a farm which is not operated by a tenant in 1938, the net payment or net deduction, if any, with respect to such restoration land goal, shall be attributed to the owner of such farm.

In computing such net payments and net deductions with respect to acreage allotments, general crops, and restoration land goals, the total amount of deductions computed under section V with respect to (1) soil-depleting crops grown in excess of the total soil-depleting acreage allotment (item 5, subsection A); (2) failure to prevent wind and water erosion (subsection C); and (3) breaking out of native sod (subsection D) shall be regarded as prorata deductions with respect to the payments computed under section IV in connection with the wheat-acreage allotment and general soil-depleting crops.

In the event that corn, cotton, rice, wheat, tobacco, potatoes, or general crops are not harvested in 1938 on the farm, or in the event the county committee, in accordance with instructions issued by the Agricultural Adjustment Administration, finds that due to crop failure the acreage of such crop(s) was reduced sufficiently to affect materially the division of payments or deductions, the net payment or net deduction, if any, with respect to the acreage allotment for such crop(s), shall be divided among the landlords, tenants, and sharecroppers in the same proportion that the county committee determines that such persons would have shared in the proceeds of such crop(s) if such crop(s) had been harvested on the farm in 1938 or if the acreage of such crop(s) had not been so reduced.

B. PAYMENTS WITH RESPECT TO SOIL-BUILDING PRACTICES

The amount of payment earned in connection with the soil-building goal for the farm shall be paid to the landlord, tenant, or sharecropper who carried out the soil-building practices. If the county committee determines that more than one such person contributed to the carrying out of soil-building practices on the farm in 1938, such payment shall be divided in the proportion that the units contributed by each such person to such practices bears to the total units of such practices carried out on the farm in 1938. Each person contributing to the practice carried out on a particular acreage shall be deemed to have contributed equally to the units of such practices unless such persons establish to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event such unit shall be divided in the proportion which the county committee determines each such person contributed thereto.

C. PRORATION OF NET DEDUCTIONS

If with respect to any farm the sum of the net payments computed for all persons on the farm exceeds the sum of the net deductions computed for all persons on the farm, the net deduction computed

for any person on the farm shall be prorated among the persons on the farm for whom a net payment is computed in the proportion in which the net payment computed for any person is of the sum of the net payments computed for all persons on the farm. If, with respect to any farm the sum of the net deductions computed for all persons on the farm equals or exceeds the sum of the net payments computed for all persons on the farm, no payment will be made with respect to such farm and the amount of such net deductions in excess of the net payments shall be prorated among the persons on the farm in the proportion which the net deduction computed for any person is of the sum of the net deductions computed for all persons on the farm.

SECTION VII. INCREASE IN SMALL PAYMENTS

The total payment computed under sections IV to VI, inclusive, for any person with respect to any farm shall be increased as follows:

(1) Any payment amounting to 71 cents or less shall be increased to \$1;

(2) Any payment amounting to more than 71 cents but less than \$1 shall be increased by 40 percent;

(3) Any payment amounting to \$1 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1 to \$1.99	\$0. 40	\$32 to \$32.99	\$10. 40
\$2 to \$2.99	. 80	\$33 to \$33.99	10. 60
\$3 to \$3.99	1. 20	\$34 to \$34.99	10. 80
\$4 to \$4.99	1. 60	\$35 to \$35.99	11. 00
\$5 to \$5.99	2. 00	\$36 to \$36.99	11. 20
\$6 to \$6.99	2. 40	\$37 to \$37.99	11. 40
\$7 to \$7.99	2. 80	\$38 to \$38.99	11. 60
\$8 to \$8.99	3. 20	\$39 to \$39.99	11. 80
\$9 to \$9.99	3. 60	\$40 to \$40.99	12. 00
\$10 to \$10.99	4. 00	\$41 to \$41.99	12. 10
\$11 to \$11.99	4. 40	\$42 to \$42.99	12. 20
\$12 to \$12.99	4. 80	\$43 to \$43.99	12. 30
\$13 to \$13.99	5. 20	\$44 to \$44.99	12. 40
\$14 to \$14.99	5. 60	\$45 to \$45.99	12. 50
\$15 to \$15.99	6. 00	\$46 to \$46.99	12. 60
\$16 to \$16.99	6. 40	\$47 to \$47.99	12. 70
\$17 to \$17.99	6. 80	\$48 to \$48.99	12. 80
\$18 to \$18.99	7. 20	\$49 to \$49.99	12. 90
\$19 to \$19.99	7. 60	\$50 to \$50.99	13. 00
\$20 to \$20.99	8. 00	\$51 to \$51.99	13. 10
\$21 to \$21.99	8. 20	\$52 to \$52.99	13. 20
\$22 to \$22.99	8. 40	\$53 to \$53.99	13. 30
\$23 to \$23.99	8. 60	\$54 to \$54.99	13. 40
\$24 to \$24.99	8. 80	\$55 to \$55.99	13. 50
\$25 to \$25.99	9. 00	\$56 to \$56.99	13. 60
\$26 to \$26.99	9. 20	\$57 to \$57.99	13. 70
\$27 to \$27.99	9. 40	\$58 to \$58.99	13. 80
\$28 to \$28.99	9. 60	\$59 to \$59.99	13. 90
\$29 to \$29.99	9. 80	\$60 to \$185.99	14. 00
\$30 to \$30.99	10. 00	\$186 to \$199.99	(1)
\$31 to \$31.99	10. 20	\$200 and over	(2)

¹ Increase to \$200.

² No increase.

SECTION VIII. DEDUCTIONS INCURRED ON OTHER FARMS

A. OTHER FARMS IN THE SAME COUNTY

If the deductions computed under section V with respect to any farm in a county exceed the payment for full performance on such farm computed under section IV, a landlord's or tenant's share of the amount by which such deduction exceeds such payments shall be deducted from such landlord's or tenant's share of the payment which would otherwise be made to him with respect to any other farms in such county.

B. OTHER FARMS IN THE STATE

If the deductions computed for a landlord or tenant with respect to one or more farms in a county exceed the payments computed for such landlord or tenant on other farms in such county, the amount of such excess deductions shall be deducted from the payments computed for such landlord or tenant with respect to any other farms in the State if the State committee finds that the crops grown and practices adopted on the farm with respect to which such deductions are computed substantially offset the contribution to the program made on such other farms.

SECTION IX. DEDUCTION FOR ASSOCIATION EXPENSES

There shall be deducted pro rata from the payments with respect to any farm all or such part as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

SECTION X. GENERAL PROVISIONS RELATING TO PAYMENTS

A. PAYMENT RESTRICTED TO EFFECTUATION OF PURPOSES OF THE PROGRAM

All or any part of any payment which otherwise would be made to any person under the 1938 Agricultural Conservation Program may be withheld (1) if he has adopted any practice which the Secretary determines tends to defeat any of the purposes of the 1938 or previous agricultural conservation programs, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to forest land or woodland owned or controlled by him, he adopts any practice which the Director of the North Central Division finds is contrary to sound conservation practices. No payment, other than a payment in connection with the restoration land goal, shall be computed with respect to any farm which is idle in 1938.

B. PAYMENT COMPUTED AND MADE WITHOUT REGARD TO CLAIMS

Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection D of this section X) and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

C. CHANGES IN LEASING AND CROPPING AGREEMENTS, REDUCTION IN NUMBER OF TENANTS, AND OTHER DEVICES

If on any farm in 1938 any change of the arrangements which existed on the farm in 1937 is made between the landlord and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord under the 1938 Agricultural Conservation Program than would have been made to the landlord for performance on the farm under the 1937 Agricultural Conservation Program, payments to the landlord under the 1938 Agricultural Conservation Program with respect to the farm shall not be greater than the amount that would have been paid to the landlord if the arrangements which existed on the farm in 1937 had been continued in 1938, if the county committee certifies that the change is not justified and disapproves such change.

If on any farm the number of sharecroppers or share tenants in 1938 is less than the average number on the farm during the years 1935 to 1937, inclusive, and such reduction would increase the payments that would otherwise be made to the landlord, such payments to the landlord shall not be greater than the amount that would otherwise be made if the county committee certifies that the reduction is not justified and disapproves such reduction.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1938 Agricultural Conservation Program has employed any other scheme or device, the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such other person would normally be entitled, the Secretary may withhold in whole or in part from the person participating in or employing such a scheme or device, or require such person to refund in whole or in part the amount of any payment which has been or would otherwise be made to such person in connection with the 1938 Agricultural Conservation Program.

D. ASSIGNMENTS

Any person who may be entitled to any payment in connection with the 1938 Agricultural Conservation Program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1938. No such assignment will be recognized unless (1) the assignment is made in writing on Form ACP-69 in accordance with instructions issued by the Agricultural Adjustment Administration, and is filed in the office of the county agricultural conservation association; (2) the farmer files with the assignment a statement that the assignment is made to pay or secure an indebtedness incurred in connection with financing

the making of a crop in 1938 and not to pay or secure any preexisting indebtedness; and (3) the person to whom such assignment is made certifies that the payment is being assigned without discount for such purpose.

Nothing contained in this Section X shall be construed to give an assignee a right to any payment other than that to which the farmer is entitled nor shall the Secretary or any disbursing agent be subject to any suit or liability if payment is made to the farmer without regard to the existence of any such assignment.

E. EXCESS COTTON ACREAGE

Any person who makes application for payment with respect to any farm located in a county in which cotton is planted in 1938 shall file with such application a statement that the applicant has not knowingly planted or caused to be planted during 1938 cotton on land in any farm in which he has an interest in excess of the cotton acreage allotment established for the farm for 1938 and that cotton was not planted in excess of such allotment by his authority or with his consent.

Any person who knowingly plants cotton on his farm in 1938 on acreage in excess of the cotton acreage allotment established for the farm for 1938 shall not be eligible for any payment under the provisions of the 1938 Agricultural Conservation Program. Any person having an interest in the cotton crop on a farm on which cotton is planted in 1938 on acreage in excess of the cotton acreage allotment for the farm for 1938 shall be presumed to have knowingly planted cotton on his farm on acreage in excess of such farm cotton acreage allotment if notice of the farm allotment is mailed to him prior to the completion of the planting (seeding) of cotton on the farm, unless the farmer establishes the fact that the excess acreage planted to cotton was due to his lack of knowledge of the number of acres in the tract(s) planted to cotton. Such notice, if mailed to the operator of the farm, shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1938.

F. USE OF SOIL-CONSERVING CROPS FOR MARKET

No payment will be made with respect to any farm unless on such farm in 1938 an acreage, not devoted to soil-depleting crops, is withheld from the production of soil-conserving crops for market, equal to the acreage by which the normal acreage of soil-depleting crops on such farm exceeds the larger of (1) the total soil-depleting acreage allotment for the farm or (2) the acreage devoted to soil-depleting crops on the farm in 1938: *Provided*, That payment shall not be denied any farmer for using such soil-conserving crops for market (1) if in the county in which the farm is located the number of cows kept for the production of milk or products thereof for market does not exceed the normal number of such cows; (2) if on such farm the number of cows kept for the production of milk or the products thereof for market does not exceed the normal number of such cows; or (3) if the Agricultural Adjustment Administration determines either (a) that the farmer has substantially complied with the provi-

sions of this paragraph, or (b) that the county, as a whole, is in substantial compliance with such provisions.

Any farmer shall be deemed to have substantially complied with the provisions of the foregoing paragraph either (1) if the increase above normal in the number of dairy cows on his farm does not exceed two cows; or (2) if none of the soil-conserving crops to which such provisions are applicable is used for market other than through the disposition of dairy livestock for slaughter or through the disposition of less than 10 percent of the milk, or products thereof, produced on the farm. A county, as a whole, shall be deemed to be in substantial compliance with such provisions if the increase above normal in the number of dairy cows in the county does not exceed 10 percent.

The normal acreage of soil-depleting crops and the normal number of cows kept for the production of milk, or the products thereof, for market shall be determined for any farm in accordance with instructions issued by the Agricultural Adjustment Administration, and the Agricultural Adjustment Administration shall determine from the latest available statistics of the Department and shall announce the counties in which the number of cows kept for the production of milk, or the products thereof, for market exceeds by more than 10 percent the normal number of such cows.

As used in this subsection F, the term "for market" means for disposition by sale, barter, or exchange, or by feeding (in any form) to dairy livestock which, or the products of which, are to be sold, bartered, or exchanged, and such term shall not include consumption on the farm. An agricultural commodity shall be deemed to be consumed on the farm if consumed by the farmer's family, employees, or household, or if fed to poultry or livestock other than dairy livestock on his farm, or if fed to dairy livestock on his farm and such dairy livestock, or the products thereof, are to be consumed by his family, employees, or household. As used in this subsection F, the term "soil-conserving crops" means grasses and legumes grown on cropland except those classified as soil-depleting under section XIII thereof.

SECTION XI. APPLICATION FOR PAYMENT

A. PERSONS ELIGIBLE TO FILE APPLICATIONS

An application for payment with respect to a farm may be made by any person for whom, under the provisions of section VI a share in the payment with respect to the farm may be computed and (1) who at the time of harvest is entitled to share in the crops grown on the farm under a lease or operating agreement, or (2) who is owner or operator of such farm and participates thereon in 1938 in carrying out approved soil-building practices or in carrying out conservation measures designed to promote restoration of a permanent vegetative cover on restoration land.

B. TIME AND MANNER OF FILING APPLICATION AND INFORMATION REQUIRED

Payment will be made only upon application submitted through the county office. The Secretary reserves the right (1) to withhold pay-

ment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within the time fixed by the Director of the North Central Division. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

C. APPLICATIONS FOR OTHER FARMS

If a person has the right to receive all or a portion of the crops or proceeds therefrom, produced on more than one farm in a county and makes application for payment with respect to one of such farms, such person must make application for payment with respect to all such farms which he operates or rents to other persons. Upon request by the State committee such person shall also file with the committee such information as it may request regarding any other farm in the State with respect to which he has the right to receive all or a portion of the crops or proceeds thereof.

SECTION XII. SOIL-DEPLETING CROPS

Land devoted in 1938 to any of the following crops or uses or such other similar crops and uses as are designated by the Agricultural Adjustment Administration shall be classified as soil-depleting:

A. Land planted to the following crops for harvest in 1938:

1. Corn (including field corn, sweet corn, and popcorn, but excluding sown or close-drilled corn used as a cover crop or green manure crop).
2. Tobacco.
3. Grain sorghums.
4. Cotton (except when such crop fails to reach the stage of growth at which bolls are first formed).
5. Sugar beets.
6. Rice.
7. Commercial mustard.
8. Hemp.
9. Broomcorn.
10. Mint.
11. Mangels and cowbeets.
12. Cultivated sunflowers.
13. Truck and vegetable crops (including strawberries, melons and sweetpotatoes) and their seeds.
14. Potatoes.
15. Bulbs and flowers.
16. Safflower.
17. Field beans.
18. Canning peas.

- B. Land planted to wheat harvested for grain or hay in 1938 or any other land planted to wheat between August 1, 1937, and July 31, 1938, except:
1. When the acreage of such crop, seeded in the fall of 1937, is pastured before May 1, 1938, and thereafter sufficiently pastured or tilled to prevent grain formation, or is tilled before May 1, 1938, in preparation for another crop or for a use other than the harvesting of the acreage of such crop for grain or hay; or
 2. When the acreage of such crop is used as a green manure crop in orchards or on commercial vegetable or potato land.
- C. Land planted to oats, barley, rye, flax, emmer, speltz, or mixtures of these crops between August 1, 1937, and July 31, 1938, except:
1. When the acreage of such crop, seeded in the fall of 1937, is pastured before May 1, 1938, and thereafter sufficiently pastured or tilled to prevent grain formation, or is tilled before May 1, 1938, in preparation for another crop or for a use other than the harvesting of the acreage of such crop for grain or hay; or
 2. When a good stand and a good growth of such crop is used as a green manure crop outside of the wind erosion area; or
 3. When such crop is used as a nurse crop or cover crop (including such crops used for pasture) and is not harvested for grain or hay and does not mature as grain; or
 4. When land is planted to rye in the wind erosion area and is used in accordance with the specifications set forth in section XIII, subsection B-3.
- D. Land planted in 1938 to buckwheat, sweet sorghums, Sudan grass, millet when such crops are harvested for grain, seed, syrup, or silage.
- E. Land planted in 1938 to sown or close-drilled corn, except:
1. When the acreage of such crop is used as a green manure crop outside of the wind erosion area; or
 2. When the acreage of such crop is used as a cover crop in the wind erosion area.
- F. Land planted in 1938 to field peas or soybeans when such crop is harvested as grain or seed or when such crop matures as grain or seed, except:
1. When land is planted in 1938 to soybeans in the counties of Butler, Dunklin, Mississippi, New Madrid, Pemiscot, Ripley, Scott, and Stoddard in Missouri, such land shall be classified as soil-depleting only when the soybeans are harvested as seed for crushing.
- G. Land summer fallowed if such summer-fallowed acreage is not protected from wind and water erosion by methods recommended by the State committee and approved by the Agricultural Adjustment Administration.
- The acreage of land which is devoted consecutively in 1938 to two or more of the soil-depleting crops specified in this section XII shall be counted as follows:

1. If only one of such crops reaches maturity, such land shall be regarded as devoted to the crop reaching maturity.
2. If none of such crops reaches maturity, or if more than one of such crops reach maturity, and an individual crop acreage allotment is established for only one of such crops, such land shall be regarded as devoted to the crop for which an individual crop acreage allotment is established.
3. If none of such crops reaches maturity and individual crop acreage allotments are established for two or more of such crops, the land shall be regarded as devoted to the last planted of such crops for which an individual crop acreage allotment is established.
4. If two or more of such crops reach maturity and individual crop acreage allotments are established for such crops, the land shall be regarded as devoted to each of the crops which reached maturity and for which an individual crop acreage allotment is established.
5. If two or more of such crops reach maturity or if none of such crops reaches maturity and individual crop acreage allotments are not established for any of such crops, the land shall be regarded as devoted to the last planted of such crops.

The acreage of land which is devoted simultaneously in 1938 to two or more of the soil-depleting crops specified in this section XII shall be divided among such crops on the basis of that fractional part of the land devoted to each.

In connection with determinations regarding the maturity of crops, canning peas will be deemed to have reached maturity when such crops are harvested for canning and field corn, sweet corn, and popcorn hogged off or cut for silage, fodder or other similar uses, will be deemed to have reached maturity.

If a corn acreage allotment is established for any farm, all acres of field corn, sweet corn, and popcorn will be regarded as corn acreage for the purpose of determining whether the corn acreage allotment for such farm has been exceeded, except (1) any acreage of sweet corn contracted to be sold for canning; (2) any acreage of sweet corn sold for canning or roasting ears; (3) any acreage of sweet corn to be sold or used as seed; and (4) any acreage of popcorn sold as popcorn or to be sold or used as seed.

In order for a portion of a field (other than cropland strip-cropped, strip-fallowed or contour farmed) not to be classified as soil-depleting such portion of the field must be in a solid block contiguous to the side or end of the field and the line between such portion and the remaining portion of the field must be straight.

Land devoted to volunteer crops harvested shall be classified as if such crops were planted.

SECTION XIII. SOIL-BUILDING PRACTICES

The soil-building practices listed in the following schedule shall count toward the achievement of the soil-building goal to the extent indicated therein, when such practices are carried out in 1938 in accordance with specifications issued by the Director of the

North Central Division or by the State committee with the approval of the Director of the North Central Division.

In order to count toward the achievement of the soil-building goal, all seedings of red clover and any mixtures containing red clover must be made with adapted red clover seed, and all seedings of alfalfa and any mixtures containing alfalfa on such farm must be made with adapted alfalfa seed, the origin of which must be certified by the county committee in accordance with instructions issued by the Agricultural Adjustment Administration. Red clover and alfalfa seed grown in Canada and in the following States shall be regarded as adapted: Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

Red clover and alfalfa seed grown in the following counties of the following States shall also be regarded as adapted: The counties of Alfalfa, Beaver, Cimarron, Craig, Delaware, Ellis, Garfield, Grant, Harper, Kay, Major, Mayes, Noble, Nowata, Osage, Ottawa, Pawnee, Rogers, Texas, Tulsa, Washington, Woods, and Woodward in Oklahoma; the counties of Baker, Crook, Deschutes, Gilliam, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, and Wheeler in the State of Oregon; the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman in the State of Washington. Red clover and alfalfa seed grown in counties in Oklahoma, Oregon, and Washington other than those enumerated in this paragraph shall be regarded as adapted if certification is made by the State Crop Improvement Association of the State in which such seed was produced that such seed was produced in such State and that such seed was produced from parent seed of Ohio red clover or Tennessee anthracnose-resistant red clover or parent seed of hardy adapted alfalfa and evidence in the form of the special certification tag attached to such seed is filed with the county committee where quantities of 100 pounds or more are purchased.

Practices carried out with labor, seed, trees, and materials furnished entirely by any Federal or State agency shall not be counted toward the achievement of the soil-building goal. If a portion of the labor, seed, trees, or other materials used in carrying out any practice is furnished by a State or Federal agency and such portion represents one-half or more of the total cost of carrying out such practice, such practice shall not be counted toward the achievement of the soil-building goal; if such portion represents less than half of the total cost of carrying out such practice, one-half of such practice shall be counted toward the achievement of the soil-building goal.

If trees are purchased from a Clark-McNary Cooperative State Nursery, such purchases shall not be deemed to be paid for in whole or in part by a State or Federal agency.

SCHEDULE OF SOIL-BUILDING PRACTICES

A. Each of the following practices in the amounts specified shall be counted as one unit, provided that, when the materials specified in items 1, 2, or 3 are applied to biennial or perennial legumes, perennial grasses, winter legumes, lespedeza, or crotalaria seeded or grown in connection with a soil-depleting crop, no part of the material applied shall be counted toward the achievement of the soil-building goal.

1. Application of 300 pounds of 16-percent superphosphate to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, or permanent pasture. The 16-percent superphosphate shall contain 16 percent by weight of available phosphoric acid. Other phosphates may be substituted for 16-percent superphosphate, provided, that the quantity of such substitute applied shall contain not less than the quantity by weight of available phosphoric acid contained in 300 pounds of 16-percent superphosphate.

2. Application of 200 pounds of 50-percent muriate of potash to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, or permanent pasture. The 50-percent muriate of potash shall contain not less than 50 percent by weight of water soluble potash. Other materials containing potash may be substituted for 50-percent muriate of potash, provided, that the quantity of such substitute applied shall contain not less than the quantity by weight of water soluble potash contained in 200 pounds of 50-percent muriate of potash.

3. Application of 500 pounds of basic slag or rock phosphate to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, or permanent pasture.

4. Application of 300 pounds of gypsum containing 18-percent sulphur (or its sulphur equivalent).

5. Construction in accordance with good terracing practices of 200 linear feet of standard terrace for which proper outlets are provided, if the county committee after inspection has approved and designated in writing the area on which such practice is to be carried out.

6. Reseeding depleted pastures with good seed of adapted pasture grasses or legumes—10 pounds of seed.

7. Application of not less than 2 tons, air dry weight, of straw or equivalent mulching materials, excluding barnyard, stockyard, and stable manure, per acre in commercial orchards or on commercial vegetable land.

8. Application of 2,000 pounds of ground limestone or its equivalent. The ground limestone should not be coarser than that obtained by grinding calcareous or dolimitic limestone so that not less than 90 percent with all finer particles obtained in the grinding process included, will pass through a 10-mesh sieve. It must contain calcium and magnesium carbonates equivalent

to not less than 80 percent of calcium carbonate. The following quantities of other calcareous substances are equivalent to 1 ton of ground limestone: 1,400 pounds of hydrated lime; 2 cubic yards of marl, sugar beet refuse lime, calcium carbide refuse lime, water softening process refuse lime, paper mill refuse lime, or commercial wood ashes; $\frac{1}{2}$ ton of commercial burnt lime; 4 cubic yards of calcareous clay; 1 ton of burnt lime waste; 1 ton of agricultural limestone meal; 2,750 pounds of limestone screenings; 3 tons of tailings from zinc mines.

9. Restoration of noncrop open pasture by nongrazing during the normal pasture season on an acreage equal to one-half of the number of acres of such pasture required to carry one animal unit for a 12-month period.

B. Each acre of the following shall be counted as one unit:

1. Seeding biennial legumes, perennial legumes, perennial grasses (other than timothy or redtop) or mixtures (other than a mixture consisting solely of timothy and redtop) containing perennial grasses, perennial legumes, or biennial legumes.

2. Seeding winter legumes, annual lespedeza, annual ryegrass, crotalaria, sesbania, or annual sweet clover.

3. Planting of rye, sweet sorghums, or Sudan grass at the normal rate of seeding for grain on cropland or restoration land in the wind erosion area, *provided*: (1) The texture of such cropland or restoration land is fine sandy loam or coarser; (2) a good growth of such crop is obtained and such crop is not pastured or harvested as grain, seed, hay, or forage; (3) such crop is left standing until November 1, 1938; (4) the operator's farming plan provides that such cover will not be pastured and will be left on the land until the spring of 1939; and (5) credit is not given in 1938 for such crop under any other practice.

4. Green manure crops of wheat (excluding wheat on sugar beet land), oats, barley, Sudan grass, millet, annual ryegrass, buckwheat, sweet sorghums, rye biennial legumes, annual legumes (excluding lespedeza), and mixtures of any of these crops and cover crops of the foregoing crops except biennial legumes, in orchards, or on commercial vegetable, sugar beet, or potato land, *provided*: (1) A good growth is obtained; (2) such crop is not pastured or harvested as grain, seed, hay, or forage, or otherwise taken from the land; (3) where such crop is used as a green manure crop it is incorporated into the soil by plowing or disking before November 1, 1938, and where the land is subject to erosion it is followed by a winter cover crop; (4) where biennial legumes are used as a green manure crop they must be incorporated into the soil before July 1, 1938; (5) where such crop is used as a cover crop a good vegetative growth of such crop is on the land on November 1, 1938; and (6) credit is not given in 1938 for such crop under any other practice.

C. Each acre of the following shall be counted as two units:

1. Cultivating, protecting, and maintaining by replanting, if necessary, a good stand of forest trees, planted between January 1, 1934, and January 1, 1938.

2. Improving a stand of forest trees by cutting weed trees and thinning or pruning other trees, so as to leave at least 100 potential timber trees of desirable species per acre with a minimum diameter of 6 inches each, or at least 200 potential timber trees of desirable species per acre with a minimum diameter of 2 inches, well distributed over each acre of woodland, *provided*: (1) The county committee has approved the area on which such practice is to be carried out; and (2) such area is not grazed and is adequately protected against fire.

D. Each acre of the following shall be counted as five units:

1. Planting forest trees (including shrubs in protective plantings) provided such trees are protected and cultivated in accordance with good tree culture practice.

2. Applying sand free from stones or loam to a depth of at least one-half inch on fruiting cranberry bogs.

E. Each 2 acres of the following shall be counted as one unit:

1. Seeding timothy or redtop or a mixture consisting solely of timothy and redtop.

F. Each 4 acres of the following shall be counted as one unit:

1. Leaving the stalks of sorghums or Sudan grass on cropland in the wind erosion area as a protection against wind erosion, *provided*: (1) Such cropland is classified as soil-depleting; (2) the texture of such cropland is fine sandy loam or coarser; (3) the county committee has determined that such cover is necessary as a protection against wind erosion; (4) such crops are left standing until November 1, 1938; and (5) the operator's farming plan provides that such cover will be left on the land until the spring of 1939.

2. Construction of contour furrows on noncrop open pasture land, except noncrop open pasture land that is sufficiently sandy and porous to absorb normal precipitation, *provided*: (1) The area contoured has an average slope not in excess of 8 percent; (2) the contour furrows are dammed sufficiently to prevent gully-ing; (3) the contour furrows are constructed on the contour level not less than 8 inches in width and 4 inches in depth; (4) the width between the furrows on any land with an average slope of 3 percent or less shall not exceed 25 feet; (5) the width between the furrows on any land with an average slope of more than 3 percent shall not exceed 25 feet less 3 feet for each percent by which the slope is greater than 3 percent.

3. Growing alternate strips of intertilled crops with sown, close-drilled, or sod crops, *provided*: (1) Such strips are approximately the same width; (2) such strips are not less than 3 rods nor more than 20 rods in width; (3) such strips run at right angles to the prevailing winds, or on the contour; and (4) the crop stubble is left on the land until November 1, 1938, in such a manner as will tend to prevent erosion.

4. Protecting summer-fallowed acreage from wind and water erosion in the wind erosion area by contour or basin listing, strip-cropping, or incorporating small-grain stubble and straw into

the surface soil. No credit will be given for this practice on any farm when carried out on light sandy soils or on soils where destruction of the vegetative cover has resulted in the land becoming subject to serious wind erosion.

G. Each 8 acres of the following shall be counted as one unit:

1. Growing intertilled crops on the contour on slopes of 3 percent or more on land approved by the county committee, to prevent wind or water erosion, *provided*: (1) The deviation of the crop rows from the true contour shall not exceed at any point a percentage equal to one-half of the percentage slope of the land, but in any case the maximum deviation shall not exceed 3 percent; (2) no deviation of the rows from the true contour shall be of a greater continuous distance than 60 feet; and (3) the crop stubble is left on the land or a winter cover crop is seeded on such land by November 1, 1938.

2. Contour listing or basin listing on the contour of cropland with an average slope not in excess of 8 percent, *provided*: (1) Adjoining furrows are not less than 8 inches in width nor less than 4 inches in depth; (2) the lister furrows are dammed sufficiently to prevent gullying; and (3) such land is seeded in the fall to a cover crop or the lister ridges are left until November 1, 1938, to prevent erosion. No credit will be given for this practice when carried out on protected summer-fallowed acreage or as a part of the seeding operation.

H. Each 10 acres of the following shall be counted as one unit:

1. Basin listing (not on the contour) of cropland, *provided*: (1) Adjoining furrows are not less than 8 inches in width nor less than 4 inches in depth; and (2) the land is seeded to a cover crop or the lister ridges are left open until November 1, 1938. No credit will be given for this practice when carried out on protected summer-fallowed acreage or as a part of the seeding operation.

SECTION XIV. NORMAL YIELDS AND PRODUCTIVITY INDEXES

A. NORMAL YIELDS OF SPECIAL SOIL-DEPLETING CROPS

The county committee with the assistance of other local committees in the county shall determine for each farm for which a cotton, corn, wheat, rice, tobacco, or potato acreage allotment is to be established a normal yield for each such crop in accordance with the provisions of this section and instructions issued by the Agricultural Adjustment Administration.

1. **Cotton.**—(a) Where reliable records of the actual average yield of cotton per acre for the years 1933 to 1937, inclusive, are presented by the farmer or are available to the committee, the normal yield for the farm shall be the average of such yields adjusted for abnormal weather conditions in accordance with instructions issued by the Agricultural Adjustment Administration.

(b) If for any year of such 5-year period records of the actual average yield are not available or there was no actual yield because cotton

was not planted on the farm in such year, the normal yield for the farm shall be the yield which, on the basis of all available facts, including the yield customarily secured on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such 5-year period.

(c) The yields determined under paragraph (b) of this subdivision 1 shall be adjusted so that the average of the normal yields determined for all farms in the county or administrative area (weighted by the cotton acreage allotments established for such farms) shall conform to the county (or administrative area) average yield established by the Secretary.

2. Corn and wheat.—(a) Where reliable records of the actual average yield per acre of corn or wheat, as the case may be, for the years 1928 to 1937, inclusive, are presented by the farmer or are available to the committee, the normal yield for the farm shall be the average of such yields adjusted for trends and abnormal weather conditions in accordance with instructions issued by the Agricultural Adjustment Administration.

(b) If for any year of such 10-year period reliable records of the actual average yield are not available or there was no actual yield because the commodity was not planted on the farm in such year, the normal yield for the farm shall be the yield which, on the basis of all the available facts, including the yield customarily secured on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such 10-year period. Where the productivity index most recently established for the farm in connection with the agricultural conservation programs is determined by the county committee to be an accurate reflection of the foregoing factors, the yield obtained by multiplying such index by the county average yield established by the Secretary shall be used as the normal yield for the farm.

(c) The yields determined under paragraph (b) of this subdivision 2 shall be adjusted so that the average of the normal yields for all farms in the county (weighted respectively by the corn- or wheat-acreage allotments established for such farms) shall conform to the county average yield established by the Secretary.

3. Rice.—(a) Where reliable records of the actual average yield of rice per acre for the years 1933 to 1937, inclusive, are presented by the farmer or are available to the committee, the normal yield of rice for the farm shall be the average of such yields.

(b) If for any year of such 5-year period records of the actual average yield are not available or there was no actual yield because rice was not planted on the farm in such year, the county committee shall ascertain from all the available facts, including the yield customarily secured on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the yield which was or could reasonably have been expected on the farm for such year, and the yield so determined shall be used as the actual yield for such year under paragraph (a) of this subdivision 3.

(c) If the average of the normal yields for all lands planted to rice in 1938 in the State (weighted by the rice acreage allotments therein) exceeds the average yield per acre for the State during the period 1933 to 1937, inclusive, established by the Secretary, the normal yields for such lands, determined under paragraphs (a) and (b) of this subdivision 3, shall be reduced pro rata so that the average of such normal yields shall not exceed such State average yield.

4. **Tobacco and potatoes.**—(a) The normal yield of tobacco or potatoes, as the case may be, for any farms shall be the yield which may reasonably be expected from the land devoted to the production of the crop in 1938 with due consideration for type of soil, drainage, production practices, general fertility of the land and the yield of such crop customarily secured on the farm. The average yield for all farms in any county with respect to any such crop shall not exceed the county average yield for the crop established by the Secretary.

B. PRODUCTIVITY INDEXES

The Secretary shall establish for each county a county productivity index or per-acre rate which will vary among the counties as the productivity of the cropland in the county devoted to the production of general soil-depleting crops varies as compared with the productivity of cropland in the United States devoted to the production of such crops.

A productivity index or rate per acre shall be established in accordance with instructions issued by the Agricultural Adjustment Administration for each farm by the county committee, subject to the approval of the State committee. Such productivity index or rate per acre shall be based upon the normal yield per acre for the farm of the major soil-depleting crop in the county as compared with the normal yield per acre for such crop in the county. Where the yield of the major soil-depleting crop in the county does not accurately reflect the productivity of a farm, the yield of a crop that reflects the productivity of the farm may be used, provided that the productivity index or rate per acre for such farm shall be adjusted, if necessary, so as to be fair and equitable as compared with the productivity indexes or rates per acre for other farms in the county having similar soils or productive capacity, and as contrasted with other farms in the county having different soils or productive capacity.

The average productivity index or per-acre rate for all farms in the county shall not exceed 100 or the county per-acre rate, respectively, unless it is determined that farms for which such indexes or rates per acre are established are not representative of all farms in the county and a variation from 100 or the county per-acre rate is approved by the Agricultural Adjustment Administration.

SECTION XV. APPEALS

Any person who considers himself aggrieved by any recommendation or determination of the county committee with respect to any farm in which he has an interest may, within 15 days after notice thereof is forwarded to or available to him, request the county committee in writing to reconsider its recommendation or determina-

tion with respect to any of the following matters: (a) Eligibility to file an application for payment; (b) any soil-depleting acreage allotment or soil-building goal; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person of its decision in writing within 15 days after receipt of such written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person of its decision in writing within 30 days after the receipt of the appeal. If such person is dissatisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the North Central Division to review the decision of the State committee.

SECTION XVI. DEFINITIONS

For the purposes of the 1938 Agricultural Conservation Program—
Secretary means the Secretary of Agriculture of the United States.

Director of the North Central Division means the Director of the Division of the Agricultural Adjustment Administration in charge of the 1938 Agricultural Conservation Program in the North Central Region.

North Central Region means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

The commercial corn-producing area in the North Central Region means the area included in the following counties of the States specified:

ILLINOIS: All counties.

INDIANA: All counties except Brown, Clarke, Crawford, Floyd, Harrison, Jefferson, Lawrence, Martin, Monroe, Ohio, Orange, Perry, Scott, Spencer, and Switzerland.

IOWA: All counties.

MICHIGAN: Branch, Hillsdale, Lenawee, Monroe, and St. Joseph.

MINNESOTA: Big Stone, Blue Earth, Brown, Carver, Chipewewa, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Grant, Houston, Jackson, Kandiyohi, Lac qui Parle, Le Sueur, Lincoln, Lyon, McLeod, Martin, Meeker, Mower, Murray, Nicollet, Nobles, Olmsted, Pipestone, Redwood, Renville, Rice, Rock, Scott, Sibley, Steele, Stevens, Swift, Traverse, Wabasha, Waseca, Watonwan, Winona, Wright, and Yellow Medicine.

MISSOURI: Adair, Andrew, Atchison, Audrain, Barton, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Cape Girardeau, Carroll, Cass, Chariton, Clark, Clay, Clinton, Cooper, Daviess, DeKalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Jackson, Johnson, Knox, Lafayette, Lewis, Lincoln, Linn, Livingston, Macon, Marion, Mercer, Mississippi, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Pemiscot, Perry, Pettis, Pike,

Platte, Putnam, Ralls, Randolph, Ray, St. Charles, St. Clair, Saline, Schuyler, Scotland, Scott, Shelby, Stoddard, Vernon, and Worth.

NEBRASKA: All counties except Arthur, Banner, Blaine, Box Butte, Brown, Chase, Cherry, Cheyenne, Dawes, Deuel, Garden, Garfield, Grant, Holt, Hooker, Keith, Keyapaha, Kimball, Lincoln, Logan, Loup, McPherson, Morrill, Rock, Scotts Bluff, Sheridan, Sioux, Thomas, and Wheeler.

OHIO: All counties except Ashtabula, Athens, Belmont, Carroll, Columbiana, Cuyahoga, Gallia, Geauga, Guernsey, Harrison, Hocking, Jackson, Jefferson, Lake, Lawrence, Lorain, Mahoning, Medina, Meigs, Monroe, Morgan, Muskingum, Noble, Portage, Stark, Summit, Trumbull, Tuscarawas, Vinton, Washington, and Wayne.

SOUTH DAKOTA: Bon Homme, Brookings, Charles Mix, Clay, Davison, Douglas, Hanson, Hutchinson, Kingsbury, Lake, Lincoln, McCook, Minnehaha, Moody, Turner, Union, and Yankton.

WISCONSIN: Dane, Grant, Green, Iowa, Lafayette, and Rock.

The **early commercial potato-producing area** in the North Central Region means the area included in the following counties of the States specified:

INDIANA: Floyd, Harrison, Jasper, Perry, and Spencer.

MISSOURI: Clay, Jackson, Ray, and St. Louis.

NEBRASKA: Dawson and Buffalo.

The **late commercial potato-producing area** in the North Central Region means the area included in the following counties of the States specified:

INDIANA: Allen, Carroll, Cass, Clark, DeKalb, Elkhart, Fulton, Howard, Huntington, Kosciusko, Lagrange, Lake, La Porte, Marshall, Miami, Noble, Porter, Pulaski, Randolph, St. Joseph, Starke, Steuben, Wabash, and Whitley.

MICHIGAN: All counties.

MINNESOTA: Aitkin, Anoka, Becker, Beltrami, Benton, Carlton, Cass, Chisago, Clay, Clearwater, Crow Wing, Dakota, Douglas, Freeborn, Hennepin, Hubbard, Isanti, Itasca, Kanabec, Kittson, Mahnomen, Marshall, Mille Lacs, Morrison, Mower, Norman, Otter Tail, Pennington, Pine, Polk, Ramsey, Red Lake, Roseau, St. Louis, Sherburne, Stearns, Steele, Todd, Wadena, Washington, Wilkin, Winona, and Wright.

NEBRASKA: Banner, Box Butte, Cheyenne, Dakota, Dawes, Kimball, Morrill, Scotts Bluff, Sheridan, and Sioux.

OHIO: Allen, Ashland, Ashtabula, Auglaize, Carroll, Champaign, Clark, Columbiana, Coshocton, Crawford, Cuyahoga, Darke, Defiance, Erie, Fulton, Geauga, Hamilton, Hancock, Hardin, Henry, Holmes, Huron, Knox, Lake, Licking, Logan, Lorain, Lucas, Mahoning, Medina, Meigs, Miami, Montgomery, Morrow, Muskingum, Portage, Putnam, Richland, Sandusky, Scioto, Seneca, Stark, Summit, Trumbull, Tuscarawas, Van Wert, Washington, Wayne, Williams, and Wood.

SOUTH DAKOTA: Brookings, Coddington, Deuel, Hamlin, and Minnehaha.

WISCONSIN: All counties.

The **wind erosion area** in the North Central Region means the

area included in the non-irrigated portions of the following counties of the States specified:

NEBRASKA: All counties except Burt, Butler, Cass, Cedar, Clay, Colfax, Cuming, Dakota, Dixon, Dodge, Douglas, Fillmore, Gage, Hamilton, Jefferson, Johnson, Knox, Lancaster, Nemaha, Nuckolls, Otoe, Pawnee, Platte, Polk, Richardson, Saline, Sarpy, Saunders, Seward, Stanton, Thayer, Thurston, Washington, Wayne, York.

SOUTH DAKOTA: All counties except: Bon Homme, Brookings, Clay, Codington, Deuel, Grant, Hamlin, Hanson, Hutchinson, Lake, Lincoln, McCook, Miner, Minnehaha, Roberts, Turner, Union, and Yankton.

State committee means the group of persons designated within any State to assist in the administration of the 1938 Agricultural Conservation Program in such State.

County committee means the group of persons elected within any county to assist in the administration of the 1938 Agricultural Conservation Program in such county.

County means the political or civil division of a State designated as a county, except that for the purposes of the 1938 Agricultural Conservation Program in the North Central Region the political or civil divisions of Polk, Otter Tail, and St. Louis in Minnesota, and Pottawattamie in Iowa shall not be deemed counties. For the purposes of the 1938 Agricultural Conservation Program in the North Central Region, the townships of Badger, Brandwold, Chester, Columbia, Eden, Garden, Fairfield, Godfrey, Grove Park, Gully, Hill River, Johnson, King, Knute, Lessor, Queen, Rosebud, Sletten, Tilden, Winger, and Woodside, in the political or civil division in Minnesota known as Polk shall be a county known as East Polk County; and the remaining townships in such political or civil division in Minnesota shall be a county known as West Polk County; the townships of Blower, Buffton, Butler, Candor, Compton, Corliss, Deak Lake, Deer Creek, Dora, Eastern, Edna, Folden, Elmo, Girard, Gorman, Henning, Hobart, Homestead, Inman, Leaf Lake, Newton, Oak Valley, Otter Tail, Otto, Paddock, Parkers Prairie, Perham, Pine Lake, Rush Lake, Star Lake, and Woodside in the political or civil division in Minnesota known as Otter Tail shall be a county known as East Otter Tail County; and the remaining townships in such political or civil division shall be a county known as West Otter Tail County; the townships of Albion, Alden, Arrowhead, Brevator, Canosia, Cedar Valley, Cotton, Dulver, Duluth, Duluth City, Elmer, Fine Lakes, Floodwood, Fredenburg, Gnesen, Grand Lake, Holden, Herman, Industrial, Kelsey, Lakewood, Meadowslands, Midway, Ness, New Independence, Normandie, Northland, Payne, Prairie Lake, Rice Lake, Solway, Stoney Brook, Troivola, Van Buren, 52-21, 53-16, and 54-15 in the political or civil division in Minnesota known as St. Louis shall be a county known as South St. Louis County; and the remaining townships in such political or civil division shall be a county known as North St. Louis County; the townships of Belknap, Carson, Center, Grove, James, Knox, Layton, Lincoln, Macedonia, Pleasant, Valley, Washington, Waveland, and Wright in the political or civil division in Iowa known as Pottawattamie shall be a county known as East Pottawattamie County; and the remaining townships in such political

or civil division shall be a county known as West Pottawattamie County.

Person means an individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

Landlord means a person who owns land and rents such land to another person or operates such land.

Sharecropper means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or the proceeds thereof.

Tenant means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of the proceeds of the crops) and is entitled under a written or oral lease or agreement to receive all or a share of the proceeds of the crops produced thereon.

Farm means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

1. Any other adjacent or nearby farm land operated by the same person (as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land), the inclusion of which is requested or agreed to, within the time and in the manner specified by the Agricultural Adjustment Administration, by the operator and all the owners who are entitled to share in the proceeds of the crops on any of the land to be included in the farm, which request and agreement shall be applicable to the designation of the land included in such farm both under the 1938 Agricultural Conservation Program and under the provisions of the Agricultural Adjustment Act of 1938; and

2. Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops:

Provided, That land not under the same ownership shall be included in the same farm only if the county committee determines that all of such land is customarily regarded in the community as constituting one farm. A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

Cropland means farm land which is tilled annually or in a regular rotation, excluding commercial orchards, restoration land, and any land which constitutes, or will constitute if such tillage is continued, a wind erosion hazard to the community, but including any other land which has been planted since January 1, 1930, to permanent pasture or forest trees and which was classified as cropland under the 1937 Agricultural Conservation Program, and including also land planted to noncommercial orchards other than abandoned orchards.

Restoration land means farm land in the wind erosion area which has been cropped at least once since January 1, 1930, and which is designated by the county committee as land on which, because of its

physical condition and texture and because of climatic conditions, a permanent vegetative cover should be restored.

Commercial orchards means the acreage in planted or cultivated fruit trees, nut trees, vineyards, hops, or bush fruits on the farm on January 1, 1938 (excluding nonbearing orchards and vineyards), from which the principal part of the production is normally sold.

Cotton means cotton the staple of which is normally less than 1½ inches in length. American-Egyptian cotton, Sea Island cotton, and any other cotton, the staple of which is normally 1½ inches or more in length shall be considered as a general soil-depleting crop and not as cotton in connection with the 1938 Agricultural Conservation Program.

Commercial vegetables means the acreage of vegetables or truck crops (including potatoes on farms where a potato acreage allotment is not established, sweet potatoes, tomatoes, sweet corn, melons, cantaloupes, strawberries, and commercial bulbs and flowers, but excluding peas for canning and sweet corn for canning and artichokes for use other than as vegetables) of which the principal part of the production is sold to persons not living on the farm.

Soil-conserving acreage means the total acreage of cropland in any farm in excess of the total soil-depleting acreage allotment established for the farm.

Noncrop open pasture means pasture land (other than rotation pasture land and range land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

General soil-depleting crops means all soil-depleting crops other than sugar beets and sugarcane for sugar and those for which individual crop acreage allotments are established on the farm.

Animal unit means one cow, one horse, five sheep, five goats, two calves, two colts, or the equivalent thereof.

Grain sorghums mean the following varieties of sorghums and the strains thereof:

- | | |
|--------------|-----------------|
| 1. Milo. | 11. Early Kalo. |
| 2. Feterita. | 12. Premo. |
| 3. Durra. | 13. Schrock. |
| 4. Kafir. | 14. Sagrain. |
| 5. Hegari. | 15. Darso. |
| 6. Kaoliang. | 16. Shallu. |
| 7. Grohoma. | 17. Freed. |
| 8. Ajax. | 18. Groff. |
| 9. Chiltex. | 19. Fredoka. |
| 10. Kalo. | 20. Coes. |

Sweet sorghums mean the following varieties of sorghums and the strains thereof:

- | | |
|-------------------|--------------------|
| 1. Atlas. | 11. McLean. |
| 2. Sumac. | 12. Denton. |
| 3. Amber. | 13. Planter. |
| 4. Orange Sorgo. | 14. Folger. |
| 5. Honey. | 15. Dwarf Ashburn. |
| 6. Gooseneck. | 16. Tricker. |
| 7. White African. | 17. Sapling. |
| 8. Sourless. | 18. Red X. |
| 9. Leoti Red. | 19. Colman. |
| 10. Collier. | 20. Fremont. |

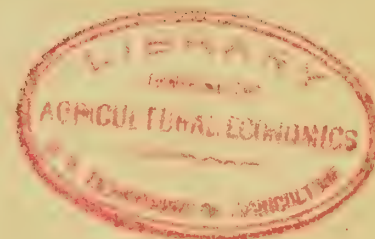
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775FUNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION1938 AGRICULTURAL CONSERVATION PROGRAM
LICKING COUNTY, OHIO

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1938 LICKING COUNTY AGRICULTURAL CONSERVATION PROGRAM

Pursuant to the authority vested in the Secretary of Agriculture under Sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, and in connection with the effectuation of the purposes of Section 7 (a) of the said Act in 1938, payments will be made in Licking County, Ohio, for participation in the 1938 Agricultural Conservation Program in accordance with the provisions of this bulletin and such modifications thereof or other provisions as may hereafter be made.

The provisions of the 1938 Agricultural Conservation Program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments herein provided are contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation. The rates of payments specified herein are subject to an increase or decrease of not more than 10 percent, depending upon the extent of participation in the Licking County Program and the final estimate of payments which would be made in Licking County under the 1938 Agricultural Conservation Program.

The provisions of the 1938 Agricultural Conservation Program contained in this bulletin are not applicable to (1) counties other than Licking County, Ohio, and (2) public domain of the United States, including land owned by the United States and administered by the Forest Service of the United States Department of Agriculture, or other lands in which the beneficial ownership is in the United States.

Section I. Definitions.- For the purpose of the 1938 Agricultural Conservation Program in Licking County, Ohio,

SECRETARY means the Secretary of Agriculture of the United States.

DIRECTOR OF THE NORTH CENTRAL DIVISION means the director of the division of the Agricultural Adjustment Administration in charge of the 1938 Agricultural Conservation Program in the North Central Region.

NORTH CENTRAL REGION means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

STATE COMMITTEE means the group of persons designated in Ohio to assist in the administration of the 1938 Agricultural Conservation Program in Ohio.

COUNTY COMMITTEE means the group of persons elected in Licking County to assist in the administration of the 1938 Agricultural Conservation Program in that county.

COUNTY means the political or civil division of a State designated as a county.

PERSON means an individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

LANDLORD means a person who owns land and rents such land to another person or operates such land.

TENANT means a person who rents land from another person (for cash, a fixed commodity payment, or a share of the proceeds of the crops) and is entitled under a written or oral lease or agreement to receive all or a share of the proceeds of the crops produced thereon.

FARM means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

1. Any other adjacent or nearby farm land operated by the same person (as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land), the inclusion of which is requested or agreed to, within the time and in the manner specified by the Agricultural Adjustment Administration, by the operator and all the owners who are entitled to share in the proceeds of the crops on any of the land to be included in the farm, which request and agreement shall be applicable to the designation of the land included in such farm both under the 1938 Agricultural Conservation Program and under the provisions of the Agricultural Adjustment Act of 1938: and

2. Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops;

PROVIDED, That land not under the same ownership shall be included in the same farm only if the county committee determines that all of such land is customarily regarded in the community as constituting one farm. A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

CROPLAND means farm land which was tilled in 1937 or is tilled in 1938 or in regular rotation, excluding commercial orchards and any land growing a sod producing crop in 1938 which if tilled will constitute a wind erosion hazard to that farm or to the community, but including any other land which has been planted since January 1, 1930 to permanent pasture or forest trees and which was classified as cropland under the 1937 Agricultural Conservation Program, and including also land planted to noncommercial orchards other than abandoned orchards.

COMMERCIAL ORCHARDS means the acreage in planted or cultivated fruit trees, nut trees, vineyards, hops, or bush fruits on the farm on January 1, 1938 (excluding non-bearing orchards and vineyards), from which the principal part of the production is normally sold.

OPEN NON-CROPLAND PASTURE means any farm land not cropland on which the predominant growth is forage characteristic of grazing lands, provided this land is essentially free of brush, briars, stumps, and trees. Any acreage of non-cropland pasture occupied to such an extent by stumps, trees, or other objects as to materially interfere with the application of lining or fertilizing materials or with the taking of measurements shall not qualify as open non-cropland pasture. The term "open non-cropland pasture" shall include any non-cropland used for the production of wild hay.

WINTER COVER CROP means (a) any biennial or perennial legume or grass or stubble of any of these crops, or (b) any small grain which will live through or into the winter, provided there is good and sufficient cover to protect the soil from wind and water erosion and leaching.

PRODUCTIVITY FACTOR is that rating given each crop, land use, or unit of land treatment denoting the relative degree to which that crop, land use, or unit of land treatment degrades or restores the soil. Restorative crops, land uses, or land treatments are denoted by positive factors, degrading by negative factors.

PRODUCTIVITY BALANCE VALUE is that rating given each farm on the basis of the combined productivity factors for each crop, land use, or unit of land treatment on cropland, combined with the erosion factor on that cropland, denoting the degree to which the cropland on that farm is being degraded, maintained, or improved. A farm with a negative productivity balance value is assumed to be in a relative state of cropland deterioration, while a farm with a positive productivity balance value is assumed to be in a relative state of cropland improvement, and the size of the balance value denotes the relative rate of deterioration or improvement.

EROSION FACTOR is that rating given each field and each farm on the basis of the average slope shown by the cropland on that farm, for the purpose of indicating the degree to which the cropland on such farm is subject to erosion.

Section II. CLASSIFICATION OF LAND USE OR TREATMENT WITH ASSOCIATED PRODUCTIVITY FACTORS

The acreage of cropland upon a farm shall be classified according to its use or treatment in 1938 and shall receive the appropriate productivity factor as follows:

1. Cropland not Planted

Cropland idle and bare during season	-2.0
Cropland idle but not bare nor fallowed during season	-0.5
Cropland fallowed during season	-2.0
Cropland not fall plowed but bare of sod or of winter cover crop as of October 31	-0.5

2. Cropland Planted to Field Crops for Harvesting Within the Crop Year

Field corn for silage or grain harvested or hogged off	-2.0
Winter-grains (wheat, rye) harvested as grain, hay, or pasture, including hogged off	-1.0
Spring or summer seeded small grains (oats, barley, flax, buckwheat) harvested as grain, hay, or pasture	-0.9
Soybeans or cowpeas harvested as seed or hay	-0.5
Sudan grass harvested as hay or pasture	-1.5
Millet harvested as hay or pasture	-1.5
Sorghums for harvesting	-2.0
Rape for pasture	-1.0

3. Cropland on which is Growing a Good Stand of Hay or Pasture Plants

For a land use to be classified as producing one of the crops listed in this subsection 3, at least 75 percent of the stand must be of that particular crop.

Alfalfa, stand in year of seeding	1 1.5
Alfalfa, 2nd year stand	1 1.0
Alfalfa, 3rd year stand	0 0.5

Alfalfa, 4th year and more stand	0.0
Sweet clover (biennial) year of seeding	1.5
Sweet clover, 2nd year of growth, pastured or cut for hay	1.0
Sweet clover, 2nd year of growth, not pastured or cut for hay	1.5
Clovers, (red, mammoth, alsike) year of seeding	1.0
Clovers, (red, alsike, mammoth) 2nd year of growth, pastured or cut for hay	1.0
Clovers, (red, alsike, mammoth) 2nd year of growth, not pastured or cut for hay	1.5
Alfalfa-grass mixtures, year of seeding	1.5
Alfalfa-grass mixtures, 2nd year of growth,	0.5
Alfalfa-grass mixture, 3rd year of growth	0.5
Alfalfa-grass mixture, 4th year of growth	0.0
Clover-grass mixture, year of seeding	0.5
Clover-grass mixture, 2nd year of growth	0.5
Timothy, orchard grass, or mixtures regardless of year of seeding	0.0
Bluegrass and other permanent pasture grasses	0.0
Sudan grass for hay or pasture	-1.5
Millet for hay or pasture	-1.5

Any of these crops grown from unadapted seed planted between November 1, 1937 and October 31, 1938 shall receive a productivity factor of 0.0

4. Cropland into Which is Incorporated a Green Manure or a Residue Crop

Sweet clover, 2nd year of growth, not pastured, plowed under green prior to June 1 ~~+1.0~~

Sweet clover, 2nd year of growth, not pastured nor cut for hay or seed, plowed under after June 1 ~~+2.0~~

Alfalfa, 2nd or more years of growth, not pastured and plowed under green prior to June 1 ~~+1.0~~

Alfalfa, 2nd or later years of growth, not pastured nor cut for hay or seed, plowed under green after June 1 ~~+2.0~~

Clovers, (red, alsike, mammoth), 2nd year of growth, not pastured and plowed under green prior to June 1 ~~+0.75~~

Clovers (red, alsike, mammoth), 2nd year of growth, not pastured nor cut for hay or seed, plowed under after June 1 ~~+1.75~~

Soybeans, cowpeas, or vetch, entire plant plowed under in bloom stage ~~+1.5~~

Rye, wheat, or buckwheat not pastured, plowed under green with at least sixty days of growth ~~+0.5~~

Sweet Corn, entire stalk and leaves plowed under green after removal of ears (This factor in addition to that indicated under subsection 5, this Section II) ~~+0.5~~

Field corn, drilled solid and entire plant plowed under green in tassel stage ~~+1.5~~

5. Cropland Planted to Vegetables and Special Crops for Harvesting within the Crop Year

Popcorn for harvesting -1.5

Sweet corn harvested for market or canning	- 1.5
Sweet corn for other uses	- 2.0
Tomatoes for harvesting	- 2.0
Irish potatoes for harvesting	- 2.0
Sweet potatoes for harvesting	- 2.0
Onions for harvesting	- 2.0
Melons for harvesting	- 2.0
Pumpkins for harvesting	- 2.0
Cucumbers for harvesting	- 2.0
Cabbage for harvesting	- 1.5
Canning peas for harvesting	- 0.5
Field peas for harvesting	- 0.5
Field beans for harvesting	- 0.5
6. <u>Cropland Occupied by Fruit or Forest</u> <u>Tree Plantings</u>	
Non-commercial Orchards (entire acreages) (Orchards interplanted, in addition to this factor shall receive the factor assigned to the interplanted crop for the acreage of such interplanted crop)	- 2.5
Cane and Bush Fruits	- 2.0
Rhubarb	- 1.0
Asparagus	- 1.0
Forest Trees and Windbreaks	0.0
7. <u>Commercial Fertilizer Applied to Cropland</u>	
a. For each 100 lbs. of single strength commercial fertilizer	+ 0.07
b. For each 100 lbs. of 1-1/2 strength commercial fertilizer	+ 0.11
c. For each 100 lbs. of double strength commercial fertilizer	+ 0.15

- d. For each 100 lbs. of other commercial fertilizer credit in accordance with its proportional strength based on the officially registered, guaranteed analysis.

*Note - 20 units of plant nutrients constitute a single strength fertilizer. Example: 2-12-6, 2-16-2, 0-14-6, 0-20-0.

No credit will be given for the application of any fertilizer not guaranteed by the manufacturer and registered with the Ohio State Department of Agriculture in conformity with the Ohio State Fertilizer Control Law. For application upon cropland of fertilizing materials which are furnished to the farmer by any State or Federal agency credit will be given subject to the provisions of subsection 3, Section VI.

8. Limestone Applied to Cropland

- a. For each 1,000 lbs. of "agricultural ground limestone" possessing a neutralizing power of 90 to 108 + 0.25
- b. For each 1,000 lbs. of "agricultural meal" possessing a neutralizing power of 90 to 108 + 0.20
- c. For each 1,000 lbs. of "pulverized limestone" possessing a neutralizing power of 90 to 108 + 0.30
- d. For each 1,000 lbs. of "hydrated lime" possessing a neutralizing power of 120 to 154 + 0.40
- e.- For each 1,000 lbs. of "hydrated lime" possessing a neutralizing power of 155 to 175 + 0.50
- f. For each 1,000 lbs. of other types of liming materials of certified neutralizing power, credit in proportion to that for 1,000 lbs. of "agricultural ground limestone."

Credit will not be given for the application upon cropland of liming materials unless officially registered and guaranteed in conformity with the provisions of the

Ohio Fertilizer Control Law, or unless the neutralizing power has been determined and certified by the Ohio State Soil Testing Laboratory.

For application upon cropland of lining materials which are furnished the farmer by any State or Federal agency credit will be given subject to the provisions of subsection 3, Section VI.

Section III. ESTABLISHMENT OF PRODUCTIVITY BALANCE VALUE FOR THE FARM

There shall be established for each farm in 1938 a productivity balance value. In determining this value the following procedure shall be used:

1. Determine the erosion factor for each cropland field on the farm as follows: (1) obtain the average slope for the cropland in that field, (2) divide this average slope by ten, (3) round to the nearest one tenth, and (4) express as a minus quantity. The result is the erosion factor for that field. (Example: (1) Slope = 5.7%; (2) $5.7 \div 10 = .57$; (3) .57 rounded = .6; (4) -.6 = the erosion factor).
2. List the various crops, cropland uses, and treatments of cropland showing their acreages or units and the appropriate productivity factors listed in Section II, and the appropriate erosion factor obtained in subsection 1, this Section III.
3. Multiply the various acreages or units by the appropriate productivity factor for such crop, use, or treatment.
4. Multiply those acreages devoted to crops, uses, or treatments having negative productivity factors by the appropriate erosion factor for such acreage.
5. Determine the algebraic sum of the positive and negative factors obtained in 3 and 4.
6. Divide the factor obtained in 5 by the number of crop acres in the farm. The result obtained by this procedure is the productivity balance value for the cropland on the farm.

Section IV. CROPLAND CONSERVING PAYMENTS

1. Maintenance Payment - For each farm in Licking County a cropland maintenance payment scale will be established. A maintenance payment will be made on each farm for which the 1938 productivity balance value is in excess of the lower extreme of this scale. The upper extreme of the payment scale on all farms shall be $\frac{1}{2}$ 0.20. The lower extreme of the payment scale shall be -0.90 plus 50 percent of the

weighted average erosion factor for all the cropland on that farm. The maintenance payment shall be equal to 1.25 cents per crop acre for each point (0.01) which the productivity balance value for that farm is above the lower extreme of the payment scale for that farm up to a limit of the number of such points between the lower and upper extremes of the payment scale for that farm.

2. Building payment - A cropland building payment will be made on each farm at the rate of 1.50 cents per crop acre per point (0.01) by which the 1938 productivity balance value exceeds the 1937 productivity balance value up to a limit of 40 such points.

To be eligible for cropland conserving payments a farm must be in an active state of cultivation in 1938.

Section V. PASTURE LAND CONSERVING PAYMENTS

A pasture conserving allowance shall be established for each farm. This allowance shall be the maximum amount which may be earned in 1938 by the carrying out on a farm of any of the pasture conserving practices listed below. The pasture conserving allowance for a farm shall be 25 cents for each acre of open non-cropland pasture. Those farms for which this method of calculation results in a pasture conserving allowance of less than \$3.00 shall have an allowance of \$3.00 established for them. The practices and the conditions under which these practices must be performed in order to earn payment are:

1. Fertilizing Materials. The application on open non-cropland pasture in 1938 of commercial fertilizing materials which are officially registered and guaranteed in conformity with the provisions of the Ohio State Fertilizer Control Law shall earn payments as follows:

- a. For each 100 lbs. single strength commercial fertilizer (\$0.75)

(A single strength fertilizer is one for which the summation of the units of plant nutrients equals 20. For example, 2-12-6, 2-16-2, 0-14-6, 0-20-0, etc.)

- b. For each 100 lbs. of 1-1/2 strength commercial fertilizer (\$1.10)
- c. For each 100 lbs. of double strength commercial fertilizer (\$1.50)
- d. For each 100 lbs. of other strength commercial fertilizer, payment in proportion to its strength in relation to single strength.

2. Liming Materials. The application on open non-cropland pasture between November 1, 1937 and October 31, 1938 of liming materials which are officially registered and guaranteed in conformity with the provisions of the Ohio State Fertilizer Control Law, or such other liming materials for which the neutralizing power has been determined and certified by the State soil testing laboratory shall earn payments as follows:
- a. For each ton of "agricultural ground limestone" possessing a neutralizing power of 90 to 108 (\$1.25)
 - b. For each ton of "agricultural meal" possessing a neutralizing power of 90 to 108 (\$0.90)
 - c. For each ton of "pulverized limestone" possessing a neutralizing power of 90 to 108 (\$1.50)
 - d. For each ton of "hydrated lime" possessing a neutralizing power of 120 to 150 (\$2.25)
 - e. For each ton of "hydrated lime" possessing a neutralizing power of 155 to 175 (\$2.50)
 - f. For each ton of other liming materials of certified neutralizing power, payment in proportion to that for one ton of "agricultural ground limestone".

To be eligible for pasture land conserving payments, practices listed herein must be carried out by such methods as conform to good farm practice. Proof of performance for any practice shall consist of satisfactory evidence that the practice was completed in accordance with conditions specified. Pasture land conserving payments for any practice herein set forth will be subject to the qualifications indicated in subsection 3, Section VI.

Section VI. SOIL-CONSERVING PAYMENTS FOR TREE
PLANTING

Each farm in Licking County shall be eligible for payment in 1938 for the planting between November 1, 1937 and October 31, 1938 of forest trees or windbreaks on farm land at the rate of \$10.00 per acre, up to an acreage limit equivalent to 5 percent of the total farm acreage, provided these plantings are made with acceptable species, classes of stock, rates of planting, and are properly protected. Payments for tree planting shall be subject to the following qualifications!

- 1. That in the case of forest tree plantings there is on the date as of which final inspection is made for the purpose of determining performance on the farm, a stand of at least 650 living trees per acre; or if due to uncontrollable

natural causes a stand of 650 living trees per acre is not obtained on the date as of which final inspection is made for the purpose of determining performance on the farm, there is satisfactory evidence that such trees were planted in accordance with good tree culture and that such trees have been properly protected.

2. That in the case of windbreak or shelterbelt plantings, there is on the date as of which final inspection is made for the purpose of determining performance on the farm, a stand of at least 300 living trees per acre, or if due to uncontrollable natural causes a stand of 300 living trees is not obtained on the date as of which final inspection is made for the purpose of determining performance on the farm, there is satisfactory evidence that such trees were planted in accordance with good tree culture practice and that such trees have been properly protected.
3. Practices carried out with labor, seed, trees, and materials furnished entirely by any Federal or State agency, other than the Agricultural Adjustment Administration, shall not be counted as a practice eligible for payment under this section. If a portion of the labor, seed, trees, or other materials used in carrying out any practice is furnished by a State or Federal agency, and such portion represents one-half or more of the total cost of carrying out such practice, such practice shall not be counted as a practice eligible for payment under this section; if such portion represents less than half of the total cost of carrying out such practice, one-half of such practice shall be counted as a practice eligible for payment under this section. If trees are purchased from a Clark-MoNary Co-operative State Nursery, such purchases shall not be deemed to be paid for in whole or in part by a State or Federal agency.

Section VII. DIVISION OF PAYMENTS

The share of any person in any payments computed with respect to any farm in Licking County, subject to the provisions of sections IX, X, and XI shall be determined in accordance with the methods specified in this Section VII.

1. Cropland Conserving Payments. The payment computed for any farm with respect to cropland conserving payments shall be divided among the landlords and tenants in the same proportion (as indicated by their acreage shares) that such persons are entitled, at the time the crops are harvested, to share in the proceeds (other than a fixed commodity payment) of the crops grown on the farm in 1938.

2. Conserving Payments for Pasture Land and for
Tree Planting

The amount of payment earned under section V and section VI shall be paid to the landlord or tenant who carried out the practices to earn these payments. If the county committee determines that more than one such person contributed to the carrying out of one or more of such practices on the farm in 1938, such payment shall be divided in the proportion that the quantity of practices contributed by each such person bears to the total quantity of practices carried out on the farm in 1938. Each person contributing to the practices carried out on a particular acreage shall be deemed to have contributed equally to such practices, unless such persons establish to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event credit for such practices shall be divided in the proportion which the county committee determines each such person contributed thereto.

Section VIII. INCREASE IN SMALL PAYMENTS

The total payment, computed under sections IV to VII, inclusive, for any person with respect to any farm shall be increased as follows:

1. Any payment amounting to 71 cents or less shall be increased to \$1.00;
2. Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
3. Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of pay- ment computed	Increase in payment	Amount of pay- ment computed	Increase in payment
\$1.00 to 1.99	\$0.40	\$32.00 to 32.99	10.40
2.00 to 2.99	0.80	33.00 to 33.99	10.60
3.00 to 3.99	1.20	34.00 to 34.99	10.80
4.00 to 4.99	1.60	35.00 to 35.99	11.00
5.00 to 5.99	2.00	36.00 to 36.99	11.20
6.00 to 6.99	2.40	37.00 to 37.99	11.40
7.00 to 7.99	2.80	38.00 to 38.99	11.60
8.00 to 8.99	3.20	39.00 to 39.99	11.80
9.00 to 9.99	3.60	40.00 to 40.99	12.00
10.00 to 10.99	4.00	41.00 to 41.99	12.10
11.00 to 11.99	4.40	42.00 to 42.99	12.20
12.00 to 12.99	4.80	43.00 to 43.99	12.30
13.00 to 13.99	5.20	44.00 to 44.99	12.40
14.00 to 14.99	5.60	45.00 to 45.99	12.50
15.00 to 15.99	6.00	46.00 to 46.99	12.60
16.00 to 16.99	6.40	47.00 to 47.99	12.70
17.00 to 17.99	6.80	48.00 to 48.99	12.80
18.00 to 18.99	7.20	49.00 to 49.99	12.90
19.00 to 19.99	7.60	50.00 to 50.99	13.00
20.00 to 20.99	8.00	51.00 to 51.99	13.10
21.00 to 21.99	8.20	52.00 to 52.99	13.20
22.00 to 22.99	8.40	53.00 to 53.99	13.30
23.00 to 23.99	8.60	54.00 to 54.99	13.40
24.00 to 24.99	8.80	55.00 to 55.99	13.50
25.00 to 25.99	9.00	56.00 to 56.99	13.60
26.00 to 26.99	9.20	57.00 to 57.99	13.70
27.00 to 27.99	9.40	58.00 to 58.99	13.80
28.00 to 28.99	9.60	59.00 to 59.99	13.90
29.00 to 29.99	9.80	60.00 to 185.99	14.00
30.00 to 30.99	10.00	186.00 to 199.99	Increase to 200.00
31.00 to 31.99	10.20	200.00 and over	No increase

Section IX. DEDUCTIONS INCURRED ON OTHER FARMS

1. Other farms in Licking County. If a person who has made application for payment with respect to any farm in Licking County has an interest as landlord or tenant in any other farm in Licking County which fails to qualify for a crop-land conserving payment as calculated under section IV, the payment which otherwise would be made to such person shall be decreased by an amount equal to such person's share of the deduction with respect to such other farm.

Such deduction shall be computed by multiplying the number of points by which the productivity balance value for such other farm is below the foot of the maintenance payment scale therefor, by the number of crop acres on such other farm times the regular maintenance payment rate.

Any deduction computed for a farm in accordance with the above provision shall be divided among the landlords and tenants in the same proportion (as indicated by their acreage shares) that such persons are entitled, at the time the crops are harvested, to share in the proceeds (other than a fixed commodity payment) of the crops grown on the farm in 1938.

2. Other farms in the State. If the deductions computed for a landlord or tenant with respect to one or more farms in a county exceed the payments computed for such landlord or tenant on other farms in such county, the amount of such excess deductions shall be deducted from the payments computed for such landlord or tenant with respect to any other farms in the State, if the State committee finds that the crops grown and practices adopted on the farms with respect to which such deductions are computed substantially offset the contribution to the program made on such other farms.

Section X. DEDUCTIONS FOR ASSOCIATION EXPENSES.

There shall be deducted pro rata from the payments with respect to any farm in Licking County all or such part as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the Licking County Agricultural Conservation Association.

Section XI. GENERAL PROVISIONS RELATING TO PAYMENTS

1. Payment Restricted to Effectuation of Purposes of the Program. All or any part of any payment which otherwise would be made to any person under the 1938 Agricultural Conservation Program may be withheld (1) if he has adopted any practice which the Secretary determines tends to defeat any of the purposes of the program, (2), if by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to forest land or woodland owned or controlled by him, he adopts any practice which the director of the North Central Division finds is contrary to sound conservation practices.
2. Payment Computed and Made Without Regard to Claims.

Any payment or share of payment shall be computed and made

without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection 4 of this Section XI) and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

3. Changes in Leasing and Cropping Agreements, Reductions in Number of Tenants, and Other Devices.

If on any farm in 1938 any change of the arrangements which existed on the farm in 1937 is made between the landlord and the tenants and such change would cause a greater proportion of the payments to be made to the landlord under the 1938 Agricultural Conservation Program than would have been made to the landlord for performance on the farm under the 1937 Agricultural Conservation Program, payments to the landlord under the 1938 Agricultural Conservation Program with respect to the farm shall not be greater than the amount that would have been paid to the landlord if the arrangements which existed on the farm in 1937 had been continued in 1938, if the county committee certifies that the change is not justified and disapproves such change.

If on any farm the number of share tenants in 1938 is less than the average number on the farm during the years 1935 to 1937, inclusive, and such reduction would increase the payments that would otherwise be made to the landlord, such payments to the landlord shall not be greater than the amount that would otherwise be made, if the county committee certifies that the reduction is not justified and disapproves such reduction.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1938 Agricultural Conservation Program has employed any other scheme or device, the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such other person would normally be entitled, the Secretary may withhold in whole or in part from the person participating in or employing such a scheme or device, or require such person to refund in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1938 Agricultural Conservation Program.

4. Assignments. Any person who may be entitled to any payment in connection with the 1938 Agricultural Conservation Program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1938. No such assignment will

be recognized unless (1) the assignment is made in writing on Form ACP-69 in accordance with instructions issued by the Agricultural Adjustment Administration and is filed in the office of the county agricultural conservation association; (2) the farmer files with the assignment a statement that the assignment is made to pay or secure an indebtedness incurred in connection with financing the making of a crop in 1938 and not to pay or secure any pre-existing indebtedness; and (3) the person to whom such assignment is made certifies that the payment is being assigned without discount for such purpose. Nothing contained in this Section XI, shall be construed to give an assignee a right to any payment other than that to which the farmer is entitled nor shall the Secretary or any disbursing agent be subject to any suit or liability if payment is made to the farmer without regard to the existence of any such assignment.

5. Cotton Acreage in Excess of Allotment. Any person who knowingly plants cotton on his farm in 1938 on acreage in excess of the cotton acreage allotment established for the farm for 1938 shall not be eligible for any payment under the provisions of the 1938 Agricultural Conservation Program. Any person having an interest in the cotton crop on a farm on which cotton is planted in 1938 on acreage in excess of the cotton acreage allotment for the farm for 1938 shall be presumed to have knowingly planted cotton on his farm on acreage in excess of such farm cotton acreage allotment if notice of the farm allotment is mailed to him prior to the completion of the planting (seeding) of cotton on the farm, unless the farmer establishes the fact that the excess acreage planted to cotton was due to his lack of knowledge of the number of acres in the tract(s) planted to cotton. Such notice, if mailed to the operator of the farm, shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1938.

Section XII. Application for Payment

1. Persons Eligible to File Applications. An application for payment with respect to a farm may be made by any person for whom, under the provisions of section VII, a share in the payment with respect to the farm may be computed and (1) who at the time of harvest is entitled to share in the crops grown on the farm under a lease or operating agreement, or (2) who is owner of such farm and participates thereon in 1938 in carrying out approved soil-building practices.
2. Time and Manner of Filing Application and Information Required. Payment will be made only upon application submitted through the county office. The Secretary reserves the right (1) to withhold payment from any person who fails

to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within the time fixed by the director of the North Central Division. At least two weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

3. Application for Other Farms. If a person has the right to receive all or a portion of the crops or proceeds therefrom, produced on more than one farm in Licking County and makes application for payment with respect to one of such farms, such person must make application for payment with respect to all such farms which he operates or rents to other persons. Upon request by the State committee such person shall also file with the committee such information as it may request regarding any other farm in the State with respect to which he has the right to receive all or a portion of the crops or proceeds thereof.

Section XIII. APPEALS

Any person who considers himself aggrieved by any recommendation or determination of the county committee with respect to any farm in which he has an interest may, within 15 days after notice thereof is forwarded to or available to him, request the county committee in writing to reconsider its recommendation or determination with respect to any of the following matters: (1) eligibility to file an application for payment; (2) the determination of the productivity balance value for cropland; (3) the division of payment; (4) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person of its decision in writing within 15 days after receipt of such written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person of its decision in writing within 30 days after the receipt of the appeal. If such person is dissatisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the regional director to review the decision of the State committee.

Section XIV. BULLETINS, INSTRUCTIONS AND FORMS

The Agricultural Adjustment Administration shall prepare and

issue such bulletins, instructions, and forms as may be required in administering the 1938 Agricultural Conservation Program for Licking County, Ohio.

(S E A L)

Done at Washington, D. C., this 9th
day of June 1938. Witness my hand and the
seal of the Department of Agriculture.

H. A. Wilson

Secretary of Agriculture.

Issued October 21, 1938.

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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

1938 AGRICULTURAL CONSERVATION PROGRAM
LICKING COUNTY, OHIO.

Supplement No. 1

Pursuant to the authority vested in the Secretary of Agriculture under Sections I to IV, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1938 Agricultural Conservation Program Bulletin for Licking County, Ohio, is hereby amended as follows:

1. Section II, paragraphs 1 to 6, inclusive, are amended to read as follows:

Section II. CLASSIFICATION OF LAND USE OR TREATMENT WITH
ASSOCIATED PRODUCTIVITY FACTORS

The acreage of cropland upon a farm in 1937 and in 1938 shall be classified according to its use or treatment in such year and shall receive the appropriate productivity factor as follows:

1. Cropland not Planted

- a. Cropland idle and bare during season -2.0
- b. Cropland idle but not bare nor fallowed during season -0.5
- c. Cropland fallowed during season -2.0

2. Cropland Planted to Field Crops for Har-
vesting Within the Crop Year.

- a. Field corn for silage or grain harvested or hogged off -2.0
- b. Winter-grains (wheat, rye) harvested as grain, hay, or pasture, including hogged off -1.0
- c. Spring or summer seeded small grains (oats, barley, flax, buckwheat) harvested as grain, hay or pasture -0.9

a. Soybeans or cowpeas harvested as seed or hay	-1.5
b. Sudan grass harvested as hay or pasture	-1.5
c. Millet harvested as hay or pasture	-1.5
d. Sorghums for harvesting	-2.0
e. Rye for pasture	-1.5
f. Cropland planted to a crop for harvesting within the crop year, not fall plowed but bare of sod or of winter cover crop as of October 31, 1938. (This factor to be applied in addition to any other factor applicable to such cropland).	-0.5

3. Cropland on which is growing a stand of Hay or Pasture Plants

For a land use to be classified as producing one of the crops listed in this subsection 3, at least 75 percent of the stand must be of that particular crop.

a. Alfalfa, stand in year of seeding	1.0
b. Alfalfa, 2nd year stand	1.0
c. Alfalfa, 3rd year stand	1.0
d. Alfalfa, 4th year and more stand	1.0
e. Sweet clover (biennial) year of seeding	1.0
f. Sweet clover, 2nd year of growth, pastured or cut for hay	1.0
g. Sweet clover, 2nd year of growth, not pastured or cut for hay	1.0
h. Clovers, (red, mammoth, alsike) year of seeding	1.0
i. Clovers, (red, alsike, mammoth) 2nd year of growth, pastured or cut for hay	1.0

j.	Clovers, (red, alsike, mammoth) 2nd year of growth, not pastured or cut for hay	/1.5
k.	Alfalfa-grass mixtures, year of seeding	/1.5
l.	Alfalfa-grass mixtures, 2nd year of growth	/0.5
m.	Alfalfa-grass mixture, 3rd year of growth	/0.5
n.	Alfalfa-grass mixture, 4th year of growth	0.0
o.	Clover-grass mixture, year of seeding	/0.5
p.	Clover-grass mixture, 2nd year of growth	/0.5
q.	Timothy, orchard grass, or mixtures regardless of year of seeding	0.0
r.	Bluegrass and other permanent pasture grasses	0.0
	Any of these crops grown from unadapted seed planted between November 1, 1937, and October 31, 1938, shall receive a productivity factor of	0.0
4.	<u>Cropland into which is Incorporated a Green Manure or a Residue Crop</u>	
a.	Sweet clover, 2nd year of growth, not pastured, plowed under green prior to June 1	/1.0
b.	Sweet clover, 2nd year of growth, not pastured nor cut for hay or seed, plowed under after June 1	/2.0
c.	Alfalfa, 2nd or more years of growth, not pastured and plowed under green prior to June 1	/1.0
d.	Alfalfa, 2nd or later years of growth, not pastured nor cut for hay or seed, plowed under green after June 1	/2.0

e.	Clovers, (red, alsike, mammoth), 2nd year of growth, not pastured and plowed under green prior to June 1	1.00
f.	Clovers, (red, alsike, mammoth), 2nd year of growth, not pastured nor cut for hay or seed, plowed under after June 1	1.00
g.	Soybeans, cowpeas, or vetch, entire plant plowed under in bloom stage	1.00
h.	Eye, wheat, or buckwheat not pastured, plowed under green with at least sixty days of growth	1.00
i.	Sweet corn, entire stalk and leaves plowed under green after removal of ears (This factor in addition to that indicated under subsection 5, this Section II)	1.00
j.	Field corn, drilled solid and entire plant plowed under green in tassel stage	1.00
5.	<u>Cropland Planted to Vegetables and Special Crops for Harvesting within the Crop Year</u>	
a.	Popcorn for harvesting	1.00
b.	Sweet corn harvested for market or canning	1.00
c.	Sweet corn for other uses	1.00
d.	Tomatoes for harvesting	2.00
e.	Irish potatoes for harvesting	2.00
f.	Sweet potatoes for harvesting	2.00
g.	Onions for harvesting	2.00
h.	Melons for harvesting	2.00
i.	Pumpkins for harvesting	2.00
j.	Cucumbers for harvesting	2.00
k.	Cabbage for harvesting	1.00
l.	Canning peas for harvesting	0.50
m.	Field peas for harvesting	0.50
n.	Field beans for harvesting	0.50

6. Cropland Occupied by Fruit or Forest
Tree Plantings

- a. Non-commercial Orchards (entire acreages) -2.5
(Orchards interplanted, in addition to
this factor shall receive the factor
assigned to the interplanted crop for
the acreage of such interplanted crop)
- b. Cane and Bush Fruits -2.0
- c. Rhubarb -1.0
- d. Asparagus -1.0
- e. Forest Trees and Windbreaks 0.0

2. Section III is amended as follows:

a. The introductory paragraph is amended to read as follows:

There shall be established for each farm pro-
ductivity balance values for 1937 and 1938. In deter-
mining these productivity balance values the following
procedure shall be used:

- b. Paragraph 6 is amended by substituting in place of the
words "number of crop acres" in the first sentence
thereof the words "acreage of cropland".

3. Section IV, paragraph 1 is amended by substituting in place of
the last sentence thereof the following:

The maintenance payment for each acre of cropland shall
be equal to 1.25 cents for each point (0.01) by which the
1938 productivity balance value for that farm is above the
lower extreme of the payment scale for that farm up to a
limit of the number of such points between the lower and
upper extremes of the payment scale for that farm.

4. Section IV, paragraph 2 is amended to read as follows:

- 2. Building payment - The cropland building payment for
each acre of cropland shall be equal to 1.50 cents
for each point (0.01) by which the 1938 productivity
balance value exceeds the 1937 productivity balance
value up to a limit of 40 such points.

5. Section V, paragraph 2, item d is amended by substituting the figure 154 in place of 150.
6. Section VII, paragraph 1 is amended by amending the first parenthetical expression to read as follows:
(as indicated by their acreage shares expressed in terms of either proportionate acreages or percentages).
7. Section IX, paragraph 1 is amended to read as follows:
 1. Other farms in Licking County. If a person who has made application for payment with respect to any farm in Licking County has an interest as landlord or tenant in any other farm in Licking County which qualifies for neither a maintenance payment nor a building payment as calculated under Section IV, the payment which otherwise would be made to such person shall be decreased by an amount equal to such person's share of the deduction with respect to such other farm. The deduction for each acre of cropland in such other farm shall be equal to 1.25 cents for each point (0.01) by which the 1938 productivity balance value is below the lower extreme of the payment scale.

Any deduction computed for a farm in accordance with the above provisions shall be divided among the landlords and tenants in the same proportion (as indicated by their acreage shares expressed in terms of either proportionate acreages or percentages) that such persons are entitled, at the time the crops are harvested, to share in the proceeds (other than a fixed commodity payment) of the crops grown on the farm in 1938.

Done at Washington, D. C., this
21st day of October, 1938.
Witness my hand and the seal of
the Department of Agriculture.

Harry L. Brown

Acting Secretary of Agriculture

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AGRICULTURAL ADJUSTMENT ADMINISTRATION1938 AGRICULTURAL CONSERVATION PROGRAM
TAMA COUNTY, IOWA-----
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1938 TAMA COUNTY AGRICULTURAL CONSERVATION PROGRAM

Pursuant to the authority vested in the Secretary of Agriculture under Sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, and in connection with the effectuation of the purposes of Section 7 (a) of the said Act in 1938, payments will be made in Tama County, Iowa, for participation in the 1938 Agricultural Conservation Program in accordance with the provisions of this bulletin and such modifications thereof or other provisions as may hereafter be made.

The provisions of the 1938 Agricultural Conservation Program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments herein provided are contingent upon such appropriation as the Congress may hereafter provide for such purposes; and the amounts of such payments and grants of aid will necessarily be within the limits finally determined by such appropriation. The rates of payments and deductions specified herein are subject to an increase or decrease of not more than 10 percent, depending upon the extent of participation in the Tama County Program and the final estimate of payments which would be made in Tama County under the 1938 Agricultural Conservation Program.

The provisions of the 1938 Agricultural Conservation Program contained in this bulletin are not applicable to (1) counties other than Tama County, Iowa, and (2) public domain of the United States, including land owned by the United States and administered by the Forest Service of the United States Department of Agriculture, or other lands in which the beneficial ownership is in the United States.

Section I. Definitions. - For the purpose of the 1938 Agricultural Conservation Program in Tama County, Iowa.

SECRETARY means the Secretary of Agriculture of the United States.

DIRECTOR of the North Central Division means the director of the division of the Agricultural Adjustment Administration in charge of the 1938 Agricultural Conservation Program in the North Central Region.

NORTH CENTRAL REGION means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

STATE COMMITTEE means the group of persons designated in Iowa to assist in the administration of the 1938 Agricultural Conservation Program in Iowa.

COUNTY COMMITTEE means the group of persons elected in Tama County to assist in the administration of the 1938 Agricultural Conservation Program in that county.

COUNTY means a political or civil division of a State designated as a county.

PERSON means an individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

LANDLORD means a person who owns land and rents such land to another person or operates such land.

TENANT means a person who rents land from another person (for cash, a fixed commodity payment, or a share of the proceeds of the crops) and is entitled under a written or oral lease or agreement to receive all or a share of the proceeds of the crops produced thereon.

FARM means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

1. Any other adjacent or nearby farm land operated by the same person (as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land), the inclusion of which is requested or agreed to, within the time and in the manner specified by the Agricultural Adjustment Administration, by the operator and all the owners who are entitled to share in the proceeds of the crops on any of the land to be included in the farm, which request and agreement shall be applicable to the designation of the land included in such farm both under the 1938 Agricultural Conservation Program and under the provisions of the Agricultural Adjustment Act of 1938; and
2. Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops;

Provided, That land not under the same ownership shall be included in the same farm only if the county committee determines that all of such land is customarily regarded in the community as constituting one farm. A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

CROPLAND means farm land which is tilled annually or in a regular rotation, excluding commercial orchards and any land which constitutes, or will constitute if such tillage is continued, a wind erosion hazard to the community, but including any other land which has been planted since January 1, 1930, to permanent pasture or forest trees and which was classified as cropland under the 1937 Tama County Agricultural Conservation Program, and including also land planted to non-commercial orchards other than abandoned orchards.

COMMERCIAL ORCHARDS means the acreage in planted or cultivated fruit trees, nut trees, vineyards, or bush fruits on the farm on January 1, 1938,

(excluding non-bearing orchards and vineyards), from which the principal part of the production is normally sold.

NONCROP OPEN PASTURE means pasture land (other than rotation pasture land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

CONSERVING ACREAGE on a farm means the acreage upon such farm used in accordance with subsection B of Section XII.

SOIL-CONSERVING GOAL for a farm means the acreage established for such farm under subsection B of Section III.

SOIL-CONSERVING PAYMENT means a payment for the establishment or maintenance of conserving acreage on a farm.

SOIL-BUILDING PAYMENT means a payment for carrying out an approved soil-building practice.

WINTER COVER CROP means any small grain which will normally live through or into the winter, provided there is on October 1, 1938, a good and sufficient cover to protect the soil from wind and water erosion and leaching.

Section II. County Acreage Allotments and Goals.

A. Corn Acreage Allotment. The Tana County acreage allotment of corn shall be 112,188 acres.

B. Soil-Conserving Goal. The soil-conserving goal for Tana County shall be that acreage determined by the Agricultural Adjustment Administration to be equal to the difference between the total cropland in the county and 199,409 acres, (such 199,409 acres representing the total soil-depleting acreage allotment which would be established under the provisions of the 1938 Agricultural Conservation Program pertaining to the North Central Region [NCR-201] if said provisions were applicable in Tana County.)

Section III. Farm Acreage Allotments and Goals. The county committee, with the assistance of other local committees in the county shall determine corn acreage allotments and soil-conserving goals in accordance with provisions contained herein and instructions issued by the Agricultural Adjustment Administration.

A. Corn Acreage Allotment. Acreage allotments of corn shall be determined for farms in Tana County on the basis of tillable acreage, crop rotation practices, type of soil, and topography. The allotment for any farm shall be comparable to the allotments recommended for other farms in the same community which are similar with respect to such factors. The corn acreage allotments for farms in Tana County shall not exceed the county acreage allotment for Tana County, specified in subsection A, Section II, and the sum of the corn acreage allotments for farms furnishing required

forms and information shall not exceed their proportionate share of the county acreage allotment.

B. Soil-Conserving Goal. The soil-conserving goal for any farm shall be established on the basis of good soil management, tillable acreage on the farm, type of soil, topography, and degree of erosion. The soil-conserving goal for any farm shall be comparable with the goals determined for other farms in the same community which are similar with respect to such factors. The soil-conserving goals for all farms in Tama County shall equal the county soil-conserving goal for Tama County determined in accordance with subsection B, Section II, and the sum of the soil-conserving goals for farms furnishing required forms and information shall equal their proportionate share of the county soil-conserving goal.

C. Posting of Acreage Allotments. All acreage allotments and goals established for farms in Tama County shall be posted or kept freely available for public inspection in the office of the county committee or county agricultural extension agent.

Section IV. Payment for Performance. Payments will be made with respect to any farm in Tama County for not exceeding the corn acreage allotment, for any soil-conserving acreage on the farm not in excess of the soil-conserving goal, and for the adoption of acceptable soil-building practices not in excess of the soil-building allowance, as follows:

A. Payments with Respect to Corn. Subject to the provisions of Sections V to X, inclusive, 6 cents per bushel of the normal yield per acre of corn for the farm for each acre in the corn acreage allotment; or, if the acreage planted to corn is less than 80 percent of the corn acreage allotment and the county committee finds that the failure to plant 80 percent of such corn acreage allotment was not due to flood or drought, for 125 percent of the acreage planted to corn. The acreage planted to corn shall be deemed to be that acreage which is seeded to corn, excluding (1) any acreage of sweet corn contracted to be sold for canning; (2) any acreage of sweet corn sold for canning or roasting ears; (3) any acreage of sweet corn to be sold or used as seed; and (4) any acreage of popcorn sold as popcorn or to be sold or used as seed.

B. Payments with Respect to Soil-Conserving Acreage. Subject to the provisions of Sections V to X, inclusive, payments with respect to acreage classified as soil-conserving on the farm in 1938 as follows:

\$0.75 per acre of the acreage on the farm classified as soil-conserving not exceeding one-half of the acreage in the soil-conserving goal, plus

\$1.50 per each additional acre of the acreage so classified not in excess of one-fourth the acreage in the soil-conserving goal, plus

\$6.75 per each additional acre of the acreage so classified not in excess of one-fourth the acreage in the soil-conserving goal.

Payment will be made for soil-conserving acreage at the \$1.50 rate only in case payment is made at the \$0.75 rate on all the acreage required to equal one-half of the soil-conserving goal. Payment will be made for soil-conserving acreage at the \$6.75 rate only in case payment is made at the \$1.50 rate on all the acreage required to equal one-fourth of the soil-conserving goal. The sum of the acreages upon which payment is made at the \$0.75, \$1.50, and \$6.75 rates shall not be in excess of the acreage in the soil-conserving goal.

C. Payments with Respect to Soil-Building Practices. Subject to the provisions of Sections V to X, inclusive, payment will be made for the adoption of soil-building practices listed in Section XIII at the rates applicable to these practices in an amount not in excess of a soil-building allowance for the farm, which allowance shall be that sum equal to \$0.70 for each acre in the soil-conserving goal for such farm.

Section V. Deductions. Payments computed for any farm under the provisions of Section IV shall be subject to all the following deductions which are applicable to such farm, the deductions to be made as indicated in Section VI.

A. Corn. 42 cents per bushel of the normal yield per acre of corn for the farm for each acre of corn in excess of the corn acreage allotment.

B. Soybeans. \$4.00 for each acre of soybeans grown in rows more than 8 inches apart which are not followed by a winter cover crop showing a good stand and a good vegetative growth on October 31, 1938.

C. Use of Non-cropland as Cropland. \$5.00 for each acre of native sod or any other land classified as non-cropland which is broken out during the period November 1, 1937, to October 31, 1938, inclusive, provided, however, that if the breaking out of such land is approved by the county committee as a good farming practice, the deduction provided for in this subsection C shall apply only with respect to (1) an acreage equal to the number of acres by which the sum of the soil-conserving goal and the acreage so broken out exceeds the soil-conserving acreage on the farm, or (2) the acreage so broken out, whichever is the smaller.

Section VI. Division of Payments and Deductions.

A. Payments and deductions in connection with corn acreage allotments. Net payments or net deductions computed for any farm with respect to the corn acreage allotment shall be divided among the landlords and tenants in the same proportion (as indicated by their acreage shares) that such persons are entitled, at the time the crop is harvested, to share in the proceeds (other than a fixed commodity payment) of the corn grown on the farm in 1938.

In the event that corn is not harvested in 1938 on the farm, or in the event the county committee, in accordance with instructions issued by the Agricultural Adjustment Administration, finds that due to crop failure the acreage of corn was reduced sufficiently to affect materially the division of payments or deductions, the net payment or net deduction, if any, with respect to the corn acreage allotment shall be divided among the land-

lords and tenants in the same proportion that the county committee determines that such persons would have shared in the proceeds of the corn if corn had been harvested on the farm in 1938 or if the acreage of corn had not been so reduced. In computing such net payments and net deductions with respect to corn acreage allotments, the total amount of deductions computed under Section V with respect to (1) failure to fallow soybeans grown in wide rows with an acceptable cover crop (subsection B, Section V); and (2) the use of non-cropland as cropland (subsection C, Section V) shall be regarded as deductions with respect to the corn acreage allotment.

B. Payments with respect to soil-conserving acres. Except for farms rented for cash or a fixed commodity payment, the amount of payment earned in connection with the soil-conserving acreage for the farm shall be divided 50 percent to the landlords and 50 percent to the tenants. The payment to the landlords shall be divided among them as indicated by their acreage shares in the cropland in the farm. The payment to the tenants shall be divided among them as indicated by their acreage shares in the cropland in the farm. The payment computed for a farm rented for cash or a fixed commodity payment shall be made entirely to the tenant.

C. Payments with respect to soil-building practices. The amount of payment earned under Section IV with respect to soil-building practices shall be paid to the landlord or tenant who carried out the soil-building practices. If the county committee determines that more than one such person contributed to the carrying out of one or more of such practices on the farm in 1938, such payment shall be divided in the proportion that the quantity of practices contributed by each such person bears to the total quantity of practices carried out on the farm in 1938. Each person contributing to the practice carried out on a particular acreage shall be deemed to have contributed equally to such practice, unless such persons establish to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event credit for such practice shall be divided in the proportion which the county committee determines each such person contributed thereto.

D. Proration of net deductions. If with respect to any farm the sum of the net payments computed for all persons on the farm exceeds the sum of the net deductions computed for all persons on the farm, the net deduction computed for any person on the farm shall be prorated among the other persons on the farm for whom a net payment is computed in the proportion in which the net payment computed for any person is of the sum of the net payments computed for all persons on the farm. If, with respect to any farm, the sum of the net deductions computed for all persons on the farm equals or exceeds the sum of the net payments computed for all persons on the farm, no payment will be made with respect to such farm and the amount of such net deductions in excess of the net payments shall be prorated among the persons on the farm in the proportion which the net deduction computed for any person is of the sum of the net deductions computed for all persons on the farm.

Section VII. Increase in Small Payments. The total payment computed under Sections IV to VI, inclusive, for any person with respect to any farm shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
- (3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1.00 to 1.99	\$0.40	\$32.00 to 32.99	\$10.40
2.00 to 2.99	0.80	33.00 to 33.99	10.60
3.00 to 3.99	1.20	34.00 to 34.99	10.80
4.00 to 4.99	1.60	35.00 to 35.99	11.00
5.00 to 5.99	2.00	36.00 to 36.99	11.20
6.00 to 6.99	2.40	37.00 to 37.99	11.40
7.00 to 7.99	2.80	38.00 to 38.99	11.60
8.00 to 8.99	3.20	39.00 to 39.99	11.80
9.00 to 9.99	3.60	40.00 to 40.99	12.00
10.00 to 10.99	4.00	41.00 to 41.99	12.10
11.00 to 11.99	4.40	42.00 to 42.99	12.20
12.00 to 12.99	4.80	43.00 to 43.99	12.30
13.00 to 13.99	5.20	44.00 to 44.99	12.40
14.00 to 14.99	5.60	45.00 to 45.99	12.50
15.00 to 15.99	6.00	46.00 to 46.99	12.60
16.00 to 16.99	6.40	47.00 to 47.99	12.70
17.00 to 17.99	6.80	48.00 to 48.99	12.80
18.00 to 18.99	7.20	49.00 to 49.99	12.90
19.00 to 19.99	7.60	50.00 to 50.99	13.00
20.00 to 20.99	8.00	51.00 to 51.99	13.10
21.00 to 21.99	8.20	52.00 to 52.99	13.20
22.00 to 22.99	8.40	53.00 to 53.99	13.30
23.00 to 23.99	8.60	54.00 to 54.99	13.40
24.00 to 24.99	8.80	55.00 to 55.99	13.50
25.00 to 25.99	9.00	56.00 to 56.99	13.60
26.00 to 26.99	9.20	57.00 to 57.99	13.70
27.00 to 27.99	9.40	58.00 to 58.99	13.80
28.00 to 28.99	9.60	59.00 to 59.99	13.90
29.00 to 29.99	9.80	60.00 to 185.99	14.00
30.00 to 30.99	10.00	186.00 to 199.99	Increase to 200.00
31.00 to 31.99	10.20	200 and over	No increase

Section VIII. Deductions Incurred on Other Farms.

A. Other farms in Tama County. If the deductions computed under Section V with respect to any farm in Tama County exceed the payment for performance on such farm computed under Section IV, a landlord's or tenant's share of the amount by which such deductions exceed such payments shall be deducted from such landlord's or tenant's share of the payment which otherwise would be made to him with respect to any other farms in Tama County.

B. Other farms in Iowa. If the deductions computed for a landlord or tenant with respect to one or more farms in Tama County exceed the payments computed for such landlord or tenant on other farms in Tama County, the amount of such excess deductions shall be deducted from the payments computed for such landlord or tenant with respect to any other farms in the State, if the State committee finds that the crops grown and practices adopted on the farms with respect to which such deductions are computed are such as substantially to offset the contribution to the program made on such other farms.

Section IX. Deduction for Association Expenses. There shall be deducted pro rata from the payments with respect to any farm all or such part as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in Tama County.

Section X. General Provisions Relating to Payments.

A. Payment restricted to effectuation of purposes of the program. All or any part of any payment which otherwise would be made to any person under the 1938 Tama County Agricultural Conservation Program may be withheld (1) if he has adopted any practice which the Secretary determines tends to defeat any of the purposes of the program, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to forest land or woodland owned or controlled by him, he adopts any practice which the director of the North Central Division finds is contrary to sound conservation practices. No payment shall be computed with respect to any farm which is idle in 1938.

B. Payment computed and made without regard to claims. Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection D of this Section X) and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

C. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices. If on any farm in 1938 any change of arrangements which existed on the farm in 1937 is made between the landlord and the

tenants and such change would cause a greater proportion of the payments to be made to the landlord under the 1938 Tama County Agricultural Conservation Program than would have been made to the landlord for performance on the farm under the 1937 Tama County Agricultural Conservation Program, payments to the landlord under the 1938 Tama County Agricultural Conservation Program with respect to the farm shall not be greater than the amount that would have been paid to the landlord if the arrangements which existed on the farm in 1937 had been continued in 1938, if the county committee certifies that the change is not justified and disapproves such change.

If on any farm the number of share-tenants in 1938 is less than the average number on the farm during the years 1935 to 1937, inclusive, and such reduction would increase the payments that would otherwise be made to the landlord, such payments to the landlord shall not be greater than the amount that would otherwise be made, if the county committee certifies that the reduction is not justified and disapproves such reduction.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1938 Tama County Agricultural Conservation Program has employed any other scheme or device, the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such other person would normally be entitled, the Secretary may withhold in whole or in part from the person participating in or employing such a scheme or device, or require such person to refund in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1938 Tama County Agricultural Conservation Program.

D. Assignments. Any person who may be entitled to any payment in connection with the 1938 Tama County Agricultural Conservation Program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1938. No such assignment will be recognized unless (1) the assignment is made in writing on Form ACP-69 in accordance with instructions issued by the Agricultural Adjustment Administration, and is filed in the office of the county agricultural conservation association; (2) the farmer files with the assignment a statement that the assignment is made to pay or secure an indebtedness incurred in connection with financing the making of a crop in 1938 and not to pay or secure any pre-existing indebtedness; and (3) the person to whom such assignment is made certifies that the payment is being assigned without discount for such purpose.

Nothing contained in this Section X shall be construed to give an assignee a right to any payment other than that to which the farmer is entitled nor shall the Secretary or any disbursing agent be subject to any suit or liability if payment is made to the farmer without regard to the existence of any such assignment.

E. Cotton Acreage in excess of allotment. Any person who knowingly plants cotton on his farm in 1938 on acreage in excess of the cotton acreage allotment established for the farm for 1938 shall not be eligible for any payment under the provisions of the 1938 Agricultural Conservation Program.

Any person having an interest in the cotton crop on a farm on which cotton is planted in 1938 on acreage in excess of the cotton acreage allotment for the farm for 1938 shall be presumed to have knowingly planted cotton on his farm on acreage in excess of such farm cotton acreage allotment if notice of the farm allotment is mailed to him prior to the completion of the planting (seeding) of cotton on the farm, unless the farmer establishes the fact that the excess acreage planted to cotton was due to his lack of knowledge of the number of acres in the tract(s) planted to cotton. Such notice, if mailed to the operator of the farm, shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1938.

F. Use of soil-conserving crops for market. No payment will be made with respect to any farm unless on such farm in 1938 an acreage of soil-conserving crops is withheld from market equal to the acreage by which the normal acreage of soil-conserving crops on such farm is less than the smaller of (1) the soil-conserving goal for the farm or (2) the acreage devoted to soil-conserving crops on the farm in 1938: Provided, that payment shall not be denied any farmer for using such soil-conserving crops for market (1) if in the county in which the farm is located the number of cows kept for the production of milk or products thereof for market does not exceed the normal number of such cows; (2) if on such farm the number of cows kept for the production of milk or the products thereof for market does not exceed the normal number of such cows; or (3) if the Agricultural Adjustment Administration determines either (a) that the farmer has substantially complied with the provisions of this paragraph or (b) that the county as a whole is in substantial compliance with such provisions.

Any farmer shall be deemed to have substantially complied with the provisions of the foregoing paragraph either (1) if the increase above normal in the number of dairy cows on his farm does not exceed two cows; or (2) if none of the soil-conserving crops to which such provisions are applicable is used for market other than through the disposition of dairy livestock for slaughter or through the disposition of less than ten percent of the milk, or products thereof, produced on the farm. A county, as a whole, shall be deemed to be in substantial compliance with such provisions if the increase above normal in the number of dairy cows in the county does not exceed ten percent.

The normal acreage of soil-conserving crops and the normal number of cows kept for the production of milk or the products thereof, for market shall be determined for any farm in accordance with instructions issued by the Agricultural Adjustment Administration, and the Agricultural Adjustment Administration shall determine from the latest available statistics of the Department and shall announce the counties in which the number of cows kept for the production of milk, or the products thereof, for market exceeds by more than ten percent the normal number of such cows.

As used in this subsection F the term "for market" means for disposition by sale, barter, or exchange, or by feeding (in any form) to dairy livestock which, or the products of which are to be sold, bartered, or exchanged, and such term shall not include consumption on the farm.

An agricultural commodity shall be deemed to be consumed on the farm if consumed by the farmer's family, employees, or household, or if fed to poultry or livestock other than dairy livestock on his farm, or if fed to dairy livestock on his farm and such dairy livestock, or the products thereof, are to be consumed by his family, employees, or household. As used in this subsection F the term "soil-conserving crops" means those crops listed under subsection B of Section XII.

Section XI. Application for Payment.

A. Persons eligible to file applications. An application for payment with respect to a farm may be made by any person for whom, under the provisions of Section VI, a share in the payment with respect to the farm may be computed and (1) who at the time of harvest is entitled to share in the crops grown on the farm under a lease or operating agreement, or (2) who is owner of such farm and participates thereon in 1938 in carrying out approved soil building practices.

B. Time and manner of filing application and information required. Payment will be made only upon application submitted through the county office. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within the time fixed by the Director of the North Central Division. At least two weeks' notice to the public shall be given to the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

C. Applications for other farms. If a person has the right to receive all or a portion of the crops or proceeds therefrom, produced on more than one farm in Tama County, and makes application for payment with respect to one of such farms, such person must make application for payment with respect to all such farms which he operates or rents to other persons. Upon request by the State committee, such person shall also file with the committee such information as it may request regarding any other farm in the State with respect to which he has the right to receive all or a portion of the crops or proceeds thereof.

Section XII. Classification of Cropland. Cropland in 1938 shall be classified as follows:

A. Corn. For the purpose of determining whether corn has been planted on the farm in 1938 or the corn acreage allotment for a farm has been exceeded, corn means all acreages of field corn, sweet corn, and popcorn, except (1) any acreage of sweet corn contracted to be sold for canning; (2) any acreage of sweet corn to be sold for canning or roasting ears; (3) any acreage of sweet corn to be sold or used as seed; and (4) any acreage of popcorn sold as popcorn or to be sold or used as seed.

B. Soil Conserving.

- (1) Cropland upon which there is a good stand on or after July 1, 1938, of any of the crops listed in this subsection B seeded before November 1, 1937, shall be classified as soil conserving acreage.
- (2) Cropland upon which there is on the date as of which final inspection is made for the purpose of determining performance, a good stand of annual sweet clover, or a good stand which would normally survive the winter of 1938-39, of any of the crops listed in a, b, c, e, and f of this item (2), subsection B, seeded with adapted seed between November 1, 1937, and October 31, 1938, inclusive, shall be classified as soil-conserving acreage.
 - a. Perennial legumes: alfalfa and white clover.
 - b. Perennial grasses: bluegrass, timothy, reedtop, reed canary grass, orchard grass, Bermuda grass, bromegrass, crested wheat grass, slender wheat grass, western wheat grass, bluestem grasses, perennial ryegrass, meadow fescue, or mixtures of these grasses.
 - c. Biennial legumes: sweet, red, alsike, and mammoth clovers.
 - d. Annual sweet clover.
 - e. Mixtures of legumes listed under a, c, and d of this item 2, subsection B, or mixtures of such legumes and the grasses listed under b of this item 2, subsection B.
 - f. Trees, other than fruit or nut trees, planted since January 1, 1934.
- (3) Cropland upon which there has been incorporated into the soil as green manure by plowing or discing a good green vegetative growth of close-drilled or broadcast soybeans, seeded before July 1, 1938, and followed by a winter cover crop shall be classified as soil conserving acreage.
- (4) Cropland which otherwise qualifies as soil conserving according to the provisions of this subsection B of Section XII which is devoted to grassed water-ways constructed according to good farming practice shall be classified as soil conserving acreage.
- (5) Land devoted to volunteer soil-conserving crops shall be classified as if such crops were planted.

No cropland from which a crop, other than a crop listed in item (2) of this subsection B, is harvested between November 1, 1937 and October 31, 1938, shall classify as soil-conserving acreage.

C. Neutral. Cropland devoted in 1938 to uses other than those specified in subsections A and B of this Section XII shall be classified as neutral.

Section XIII. Soil-Building Practices. Payment will be made with respect to the soil-building practices listed in this section at the designated rate not in excess of the soil-building allowance for the farm only if such practices are carried out in 1938 in accordance with specifications issued by the Director of the North Central Division or by the Iowa State Committee with the approval of the Director of the North Central Division. The specifications issued shall be such as to assure that the soil-building practice will be performed in workmanlike manner and in accordance with good farming practice for the locality.

In order to count toward the earning of the soil-building allowance, all seedings of red clover and any mixtures containing red clover must be made with adapted red clover seed, and all seedings of alfalfa and any mixtures containing alfalfa on such farm must be made with adapted alfalfa seed, the origin of which must be certified by the county committee in accordance with instructions issued by the Agricultural Adjustment Administration. Red clover and alfalfa seed grown in Canada and in the following States shall be regarded as adapted: Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

Red clover and alfalfa seed grown in the following counties of the following States shall also be regarded as adapted: The counties of Alfalfa, Beaver, Cimarron, Craig, Delaware, Ellis, Garfield, Grant, Harper, Kay, Major, Mayes, Noble, Nowata, Osage, Ottawa, Pawnee, Rogers, Texas, Tulsa, Washington, Woods, and Woodward in Oklahoma; the counties of Baker, Creek, Deschutes, Gilliam, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, and Wheeler in the State of Oregon; the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman in the State of Washington. Red clover seed grown in counties in Washington and Oregon other than those enumerated in this paragraph shall be regarded as adapted if certification is made by the State Crop Improvement Association of the State in which such seed was produced that such seed was produced in such State and that such seed was produced from parent seed of Ohio red clover or Tennessee anthracnose-resistant red clover and evidence in the form of the special certification tag attached to such seed is filed with the county committee where quantities of 100 pounds or more are purchased.

Practices carried out with labor, seed, trees, and materials furnished

entirely by any Federal or State agency other than the Agricultural Adjustment Administration shall not be counted toward earning the soil-building allowance for the farm. If a portion of the labor, seed, trees or other materials used in carrying out any practice is furnished by a State or Federal agency, and such portion represents one-half or more of the total cost of carrying out such practice, such practice shall not be counted toward earning the soil-building allowance, if such portion represents less than half of the total cost of carrying out such practice, that practice will be counted at one-half the designated rate toward earning the soil-building allowance.

If trees are purchased from a Clark-McNary Cooperative State Nursery, such purchases shall not be deemed to be paid for in whole or in part by a State or Federal agency.

A soil-building payment for any practice listed under subsections A and B shall not be made on any land plowed in 1938 after the performance of that practice.

Where several soil-building practices are adopted on the same acreage, payment will not be made for (1) more than one of the practices listed in subsections C to F, inclusive, and (2) more than one practice of the nine soil-building practices listed in subsections A and B.

A. Seedings of Adapted Legumes. Seedings of adapted seed of any of the following legumes on farm land:

1. Alfalfa - \$2.00 per acre.
2. Red clover, mammoth, and white clover - \$2.00 per acre.
3. Alsike clover - \$1.50 per acre.
4. Legume mixtures or mixtures of legumes and the perennial grasses listed under subsection B hereof, which contain at least 50 percent by weight of alfalfa, red clover, white clover, alsike clover, and mammoth clover, or more than one of these legumes - \$1.50 per acre.
5. Biennial or annual sweet clover - \$1.00 per acre.
6. Legume mixtures or mixtures of legumes and the perennial grasses listed under subsection B hereof, except those qualifying under A (4) of this Section XIII, which contain at least 50 percent by weight of alfalfa, red clover, white clover, alsike clover, mammoth clover, biennial sweetclover, and annual sweet clover, or more than one of these legumes - \$1.00 per acre.

B. Seedings of Adapted Perennial Grasses. Seedings of adapted seed of any of the following grasses on farm land:

1. Bluegrass and bromegrass - \$2.00 per acre.
2. Orchard grass and permanent pasture mixtures of grasses or

grasses and legumes containing at least 50 percent by weight of the grasses listed in item (1) of this subsection - \$1.50 per acre.

3. Timothy, redtop, and permanent pasture mixtures of grasses or grasses and legumes containing at least 50 percent by weight of bluegrass, bromegrass, orchard grass, timothy, redtop, or more than one of these grasses, but which do not contain at least 50 percent of bluegrass, bromegrass, and orchard grass - \$1.00 per acre.

C. Limestone. Application on cropland or noncrop pasture land of ground limestone or its equivalent.

1. Application of ground limestone or its equivalent - \$1.25 per ton. (The ground limestone should not be coarser than that obtained by grinding calcareous or dolomitic limestone so that not less than 90 percent with all finer particles obtained in the grinding process included, will pass through a ten-mesh sieve. It must contain calcium and magnesium carbonates equivalent to not less than 80 percent of calcium carbonate. The following quantities of other calcareous substances are equivalent to one ton of ground limestone; 1400 pounds of hydrated lime; 2 cubic yards of water softening process refuse line.)

D. Phosphates. Application of the following minimum amounts of phosphate materials per acre on non-crop pasture land or on cropland used in 1938 for the growing of a crop specified in subsection B of Section XII, and on which cropland or non-crop pasture land in connection with such application no crop (other than those listed in subsection B of Section XII) is planted in 1938.

1. One hundred and thirty-three pounds of 20 percent superphosphate or its equivalent - \$1.00 per acre.

(The 20 percent superphosphate designated in this subsection D shall contain 20 percent by weight of available phosphoric acid. Other phosphates may be substituted for 20 percent superphosphate, provided that the quantity of such substitute applied shall contain not less than the quantity by weight of available phosphoric acid contained in the specified quantity of 20 percent superphosphate.)

E. Planting and Protection of Trees. Planting and protection of forest trees and trees for windbreak or shelterbelt purposes in accordance with good tree culture practices - \$7.50 per acre, provided:

1. In the case of forest planting there is on the date as of which final inspection is made for the purpose of determining performance on the farm, a stand of at least 650 living trees per acre; or if due to uncontrollable natural causes a stand of 650 living trees per acre is not obtained on the date as of which

final inspection is made for the purpose of determining performance on the farm, there is satisfactory evidence that such trees were planted in accordance with good tree culture practice and that such trees have been properly protected.

2. In the case of windbreak or shelterbelt planting, there is on the date as of which inspection is made for the purpose of determining performance on the farm, a stand of at least 300 living trees per acre; or if due to uncontrollable natural causes a stand of 300 living trees per acre is not obtained on the date as of which final inspection is made for the purpose of determining performance on the farm, there is satisfactory evidence that such trees were planted in accordance with good tree culture practice and that such trees have been properly protected.

F. Terracing. Terracing, between November 1, 1937, and October 31, 1938, of tillable land or non-tillable pasture land in accordance with good terracing practices - \$0.40 per hundred feet, provided, the county committee after inspection has approved and designated in writing the area on which such practice is to be carried out.

Section XIV. Normal Yields of Corn. The county committee, with the assistance of other local committees in the county, shall determine for each farm for which a corn acreage allotment is to be established a normal yield for corn in accordance with the provisions of this section and instructions issued by the Agricultural Adjustment Administration.

A. Where reliable records of the actual average yield per acre of corn for the years 1928 to 1937, inclusive, are presented by the farmer or are available to the committee, the normal yield for the farm shall be the average of such yields adjusted for trends and abnormal weather conditions in accordance with instructions issued by the Agricultural Adjustment Administration.

B. If for any year of such ten-year period reliable records of the actual average yield are not available or there was no actual yield because the commodity was not planted on the farm in such year, the normal yield for the farm shall be the yield which on the basis of all the available facts, including the yield customarily secured on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such ten year period. Where the productivity index most recently established for the farm in connection with the agricultural conservation programs is determined by the county committee to be an accurate reflection of the foregoing factors, the yield obtained by multiplying such index by the county average yield established by the Secretary shall be used as the normal yield for the farm.

C. The yields determined under paragraph B of this Section XIV shall be adjusted so that the average of the normal yields for all farms in the county (weighted respectively by the corn acreage allotments established for such farms) shall conform to the county average yield established by the Secretary.

Section XV. Appeals. Any person who considers himself aggrieved by any recommendation or determination of the county committee with respect to any farm in which he has an interest may, within 15 days after notice thereof is forwarded to or available to him, request the county committee in writing to reconsider its recommendation or determination with respect to any of the following matters: (a) eligibility to file an application for payment; (b) any acreage allotment or soil conserving goal; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person of its decision in writing within 15 days after receipt of such written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision, appeal in writing to the State committee. The State committee shall within 30 days after the receipt of the appeal inform such person of its decision. If such person is dissatisfied with the decision of the State committee he may, within 15 days thereafter, request the regional director to review the decision of the State committee.

Section XVI. Bulletins, Instructions, and Forms. The Agricultural Adjustment Administration shall prepare and issue such bulletins, instructions, and forms as may be required in administering the 1938 Agricultural Conservation Program for Tama County, Iowa.

Done at Washington, D. C., this
____ 30 ____ day of June 1938.

Witness my hand and the seal of
the Department of Agriculture.

H. A. Wallace

Secretary of Agriculture



UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

1938 AGRICULTURAL CONSERVATION PROGRAM
TAMA COUNTY, IOWA

NOV 7 1938

Supplement No. 1

Pursuant to the authority vested in the Secretary of Agriculture under Sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1938 Agricultural Conservation Program Bulletin for Tama County, Iowa, is hereby amended as follows:

1. Section V, subsection C is amended to read as follows:

C. Use of Noncropland as Cropland. The deduction for use of noncropland as cropland shall be the sum of the following:

1. \$5.00 per acre for that acreage of native sod or other land classified as noncropland which is broken out during the period November 1, 1937, to October 31, 1938, inclusive, which was not approved by the county committee as a good farming practice, and
2. \$5.00 per acre for that acreage of native sod or other land classified as noncropland which is broken out during the period November 1, 1937, to October 31, 1938, inclusive, which was approved by the county committee as a good farming practice, provided, however, that in the event the soil-conserving acreage on the farm in 1938 exceeds the acreage in the soil-conserving goal, such deduction shall be applicable

to the acreage obtained by adding to the acreage broken out and approved by the county committee, the acreage in the soil-conserving goal, and by subtracting from the total thus obtained the soil-conserving acreage on the farm in 1938.

2. Section VI, subsection A is amended to read as follows:

A. Payments and Deductions in Connection with Corn Acreage

Allotments. Net payments or net deductions computed for any farm with respect to the corn acreage allotment shall be divided among the landlords and tenants in the same proportion (as indicated by their acreage shares expressed in terms of either proportionate acreages or percentages) that such persons are entitled at the time the crop is harvested to share in the proceeds (other than fixed commodity payment) of the corn grown on the farm in 1938.

3. Section VI, subsection B is amended to read as follows:

B. Payments With Respect to Soil-Conserving Acres. Except for

farms rented for cash or fixed commodity payment the amount of payment earned in connection with the soil-conserving acreage for the farm shall be divided 50 percent to the landlords and 50 percent to the operators. The payment to the landlords shall be divided among them in the same proportion that the cropland which they own bears to the total cropland in the farm. The payment to the operators shall be divided among them in the same proportion that

the cropland which they operate bears to the total cropland in the farm. The payment computed for a farm rented for cash or for a fixed commodity payment shall be made entirely to the tenant.

Done at Washington, D. C., this
30th. day of September 1938.

Witness my hand and the seal of
the Department of Agriculture.

(signed)

Harry I. Brown
Acting Secretary of Agriculture

the original which they operate under to the local
original in the form. The payment reported for a farm
rented for cash or for a fixed monthly payment shall
be made entirely to the tenant.

Done at Washington, D. C., this
30th day of September 1930.
Witness my hand and the seal of
the Department of Agriculture,
Harry L. Brown
Acting Secretary of Agriculture

(Signed)